

FEDERAL COMMUNICATIONS COMMISSION  
Washington, D. C. 20554

August 5, 1998

RECEIVED

OCT - 8 1998

OFFICE OF  
MANAGING DIRECTOR

Ms. Lettye Froboese, Licensing Specialist  
Licensing Services  
109 Wallingsford Circle  
Youngsville, Louisiana 70592

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Re: Pioneer Natural Resources USA, Inc.  
Fee Control # 9711208310054001

Dear Ms. Froboese:

This will respond to your request for refund of the filing fees paid on behalf of Pioneer Natural Resources USA, Inc. ("Pioneer"), in connection with the applications for assignment and related call sign changes of various licenses in the Private Land Mobile Radio Services.

You state, and our records reflect, that Pioneer filed a package of applications together with corresponding filing fees, and that the applications were for failure to use the correct forms and/or lockboxes. Pioneer resubmitted its package of applications, using the correct forms and correct lockboxes, again accompanied by corresponding fees. You thus request a refund of the initial filing fees that Pioneer paid, contending that, in essence, it had paid "duplicate fees."

Section 1.1109(d) of the Commission's rules, 47 C.F.R. § 1.1109(d), provides that if an application has been returned to an applicant for additional or corrected information, and "an additional fee is required, the original fee will be returned and the application must be resubmitted with the new remittance in the amount of the required fee to the Commission's lockbox bank." Our records reflect that Pioneer's initial submissions were incorrect, that the submissions were returned, and that Pioneer resubmitted its package with additional corresponding fees. Under the circumstances, and in accordance with section 1.1109(d), Pioneer is entitled to a refund of its initial \$1,485.00 payment.

Accordingly, your request is granted. A check, made payable to the maker of the original check and drawn in the amount of \$1,485.00, will be sent to you at the earliest practicable time. If you have any questions concerning this refund, please contact the Chief, Fee Section, at (202) 418-1995.

Sincerely,



Mark Reger  
Chief Financial Officer

Jim

TIME SENSITIVE

From: Thomas Holleran  
To: A10.A10.LFRIEDMA  
Subject: Filing Fee Refund Requests - Coleman & Pioneer Natural Resources

Linda: I'd like OGC to look at these 2 fee filing requests concurrently because they both concern an apparent Commission error, and I think our answer probably should be the same in both cases.

Mr. Tillotson's letter, dated April 30, is written on behalf of Chester P. Coleman (KFAT-FM @ Anchorage, AK). Mr. Froboese's letter, dated February 9, is written on behalf of Pioneer Natural Resources USA, Inc.; it is a fax from John Chudovan who is bringing down the original letter from Gettysburg.

Both of these are time-sensitive and should be moved through the process quickly. Thanks.

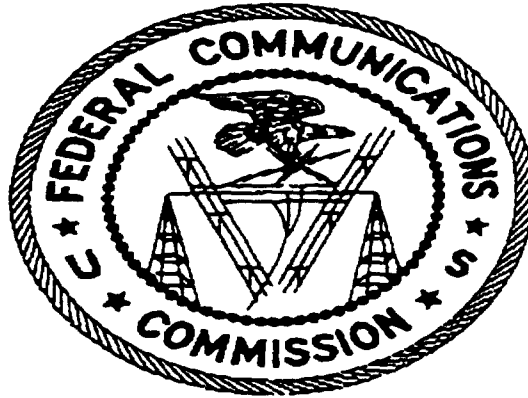
CC: A10.A10.RDORSEY, DMUCHESK, A14.A14.JMULLINS, A14.A...

Pregina

Jim. 5/15/98  
Here need to  
get to OGC  
ASAP Thanks  
Ep

9711208310054001 (Gburg)

~~111~~ 5/5/98  
→ FCD



**FAX COVER SHEET**

WIRELESS TELECOMMUNICATIONS BUREAU  
INFORMATION TECHNOLOGY DIVISION  
GETTYSBURG, PA 17325  
FAX #: 717-338-2698

TO: Tom Holleran

FAX#: 202-418-2808

FROM: John C. Anderson

PHONE#: 717-338-2510

COMMENTS: 5/5/98

NUMBER OF PAGES (INCLUDING COVER): 19

LICENSING SERVICES

Lettye G. Froboese

109 Wallingsford Circle, Youngsville, LA 70592

Phone : [318] 856-8141 FAX: [318] 856-1091

E-Mail: froboese@bellsouth.net

Assistance with correspondence and FCC Forms requesting new, modifications, renewals, assign/ transfer licenses in **Parts 80-Maritime** [Fms. 503, 506]; **§87-Aviation** [Fms. 404, 406]; **§90-Land Mobile** [Fm. 600] and **§101-Microwave** [Fm.415] in the USA : Fms. 159, 430, 457, 490, 606, 703, 854, 1046, 7460-1 and STA's.

February 9, 1998

Federal Communications Commission  
1270 Fairfield Road  
Gettysburg, PA 17325-7245

Reply To: DES  
Date: 1/27/98  
File No.: Various

Gentlemen:

This letter is written on behalf of Pioneer Natural Resources USA, inc. It is in response to your Application Return Notice for the Private Land Mobile Radio Services which reads: "Your application is being returned at your request per letter dated 11/24/97. Your request for fee refund is denied. The application fees for transfers are not eligible for refund per CFR 47 sec 1.1113."

Pioneer Natural Resources USA, inc. respectfully requests reconsideration of the refund of the \$1,485 which they paid with Mr. Reinschmidt's letter and now they have paid another fee for the same call signs. The following information is submitted for your review:

1. On September 18, 1997, Johnny M. Reinschmidt prepared and submitted a letter requesting that the Commission change the current name (MESA) to Pioneer Natural Resources Company and listed thirty-three (33) Call Signs. Attached to the letter was a list of the 33 Call Signs, a Form 703 and a Form 159 covering  $\$45 \times 33 = \$1,485.00$ , the fee amount determined by Mr. Reinschmidt.
2. On November 24, 1997 two Return Notices accompanied Mr. Reinschmidt's letter which requested multiple responses as follows:
  - a.) The package requested a Transfer of Control; however, it should have requested an Assignment or multiple Assignments of Authorization [1046].
  - b.) 22 call signs needed a Form 600 – Land Mobile.
    1. Above 470 MHz, WTL570 was assigned from the OpCo to Pioneer -- PALS \$45, Lockbox 358810.
    8. [Below 470 MHz, WNLZ824, KKC515, KNFJ333, WFT251, WNLR401, WNWY014, WNLZ936 and WPED467 –  $8 \times 2 \times \$45 = \$720$  – PALM, Lockbox 358735 assigned from the LP to the OpCo and then to Pioneer]

Federal Communications Commission

February 9, 1998

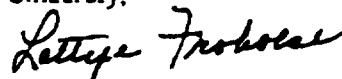
Page 2

- 2 [WNRS495 and WNSS720 - 2 x \$45 = \$90 - PALM, Lockbox 358735 - assigned from the OpCo to Pioneer]
- 11 [WNKB300-301, WNKB303-304, WNKB306, WNKB308-312 and WNKG287 - 11 were assigned from the LP to the OpCo and then to Pioneer]
- c.) 2 4 needed a Form 215 - Microwave. [WHI466 and WHI468 - 4 x \$190 = \$760 - PEOM, Lockbox 358760 - assigned from the LP to the OpCo and then to Pioneer]
- 2 [WHI467 and WHI469 - 4 x \$190 = \$760 - assigned from the LP to the OpCo and then to Pioneer]
- d.) 11 11 needed a Form 503 -- Maritime. [WHW413, WHW418-19, WHW423, WHW427, WHW429-31, WHW433-34 and WHU584] [11 x 90 = \$990 - PBMM, Lockbox 358770] [were assigned from the OpCo to Pioneer]
- e.) The fees to assign licenses in each of these three services are different.
- f.) To complicate matters, some of these Call Signs required one assignment while others required two assignments: 1<sup>st</sup> from MESA Operating Limited Partnership to MESA Operating Company and 2<sup>nd</sup> from MESA Operating Company to Pioneer Natural Resources USA, Inc.
- g.) No corporate documentation was attached to Mr. Reinschmidt's package and the name of the new company was incorrectly shown as "Pioneer Natural Resources Company vs USA, Inc."

Due to the complex situation required to resolve the Return Notice, we requested withdrawal of the initial package and started over with the assignments. Correct fee amounts were paid to the correct Lockboxes with the new packages, in essence, duplicate fees were paid for some of the call signs. With the exception of WPAJ386 all paperwork has been completed to assign all MESA licenses to Pioneer including WIL570, WPED467, WHI466-469 which were not shown on Mr. Reinschmidt's letter. Paperwork for WPAJ386 will follow shortly.

We respectfully request a reconsideration of the denial of a refund of the \$1485 paid in duplicate application fees based on these facts. Should you need to contact us, I can be reached at (318) 856-8141 or Mr. DuBose can be reached at (318) 237-7810.

Sincerely,

  
Lettye Froboese  
Licensing Specialist

Sincerely,

Pioneer Natural Resources USA, Inc.

Thomas M. DuBose  
Production Superintendent

FEDERAL COMMUNICATIONS COMMISSION  
1270 FAIRFIELD ROAD  
GETTYSBURG, PA 17325-7245

Rec'd  
2/2/98  
ef

**APPLICATION RETURN NOTICE FOR THE  
PRIVATE LAND MOBILE RADIO SERVICES**

LETTYE G FROBOESE  
LICENSING SERVICES  
109 WALLINGFORD CIRCLE  
YOUNGSVILLE LA 70592

REPLY TO : DES  
DATE: 01/27/98  
CALL SIGN(S): VARIOUS

Your application(s) is returned for the reason(s) indicated. Operation under conditional authority must cease immediately if the reason(s) for the return indicate non-conformance with the certifications required for conditional authority. Please make appropriate changes and/or supply the required information and resubmit your application(s) with this Return Notice and all attachments. Corrected applications must be resubmitted to reach the Commission at the above address WITHIN 60 DAYS of the date of return to retain their place in the processing line. These deadlines must be met even if the application must be refiled through the coordinator. Resubmitted applications that are received beyond this prescribed time must be accompanied by a new fee and, according to Rule 90.175 (Excluding Broadcast Auxiliary applicants), those requiring frequency coordination must be accompanied by new coordination if the original has expired. These applications will be handled as new applications according to the latest receipt date. General information may be obtained from the FCC's National Call Center at 1-888-225-5322.

Your application is being returned at your request per letter dated 11/24/97. Your request for fee refund denied. The application fees for transfers are not eligible for refund per CFR 47 sec 1.1113.

FCC 1034G  
October 1997

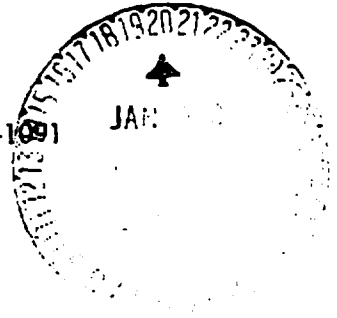
**LICENSING SERVICES**

**Lettye G. Froboese**

109 Wallingsford Circle

Youngsville, LA 70592

Voice: (318) 856-8141 FAX: (318) 856-1091



January 15, 1998

Federal Communications Commission  
1270 Fairfield Road  
Gettysburg, PA 17325-7245

Date: 11/24/97  
File No.: Various

Gentlemen:

This letter is written on behalf of Pioneer Natural Resources USA, Inc. It is in response to your Application Return Notice for the Private Land Mobile Radio Services.

Pioneer Natural Resources USA, Inc. requests withdrawal of the attached package/request. Pioneer respectfully requests to be reimbursed the \$1,485.00 fees paid.

Applications will be submitted shortly. I am currently working with Pioneer to prepare the necessary paperwork to change the licensee name to read:

Pioneer Natural Resources USA, Inc.

Should you need to contact us, I can be reached at (318) 856-8141 or Mr. DuBose can be reached at (318) 237-7810.

Sincerely,

*Lettye Froboese*

Lettye Froboese  
Licensing Specialist

Sincerely,

Pioneer Natural Resources USA, Inc.

*Thomas M. DuBose*

Thomas M. DuBose  
Production Superintendent

from PATM  
PBMM

**APPLICATION RETURN NOTICE FOR THE  
PRIVATE LAND MOBILE RADIO SERVICES**

PIONEER NATURAL RESOURCES CO  
1400 WILLIAMS SQ WEST  
5205 N O'CONNOR BLVD  
IRVING TX 75039-3746  
ATTN: OPERATIONS

DATE: 11/24/97 DES  
FILE NO: VARIOUS

Your application(s) is returned for the reason(s) indicated. Operation under conditional authority must cease immediately if the reason(s) for the return indicate non-conformance with the certifications required for conditional authority. Please make appropriate changes and/or supply the required information and resubmit your application(s) with this Return Notice and all attachments. Corrected applications must be resubmitted to reach the Commission at the above address WITHIN 60 DAYS of the date of return to retain their place in the processing line. These deadlines must be met even if the application must be refiled through the coordinator. Resubmitted applications that are received beyond this prescribed time must be accompanied by a new fee and, according to Rule 90.175 (Excluding Broadcast Auxiliary applicants), those requiring frequency coordination must be accompanied by new coordination if the original has expired. These applications will be handled as new applications according to the latest receipt date. General information may be obtained from the FCC's National Call Center at 1-888-225-5322.

Your request for Transfer of Control, appears from the transaction description, to actually be a request for Assignment of Authorization. Each Assignor of a Private Mobile Radio Service (PMRS) Authorization must file application for approval of assignment on an FCC Form 1046. Each Assignee of a PMRS license must file an FCC Form 600 pages one, two and Schedule "D". Please file one FCC Form 600 & 1046 for EACH radio service, as not all assignments are done in the same department.

FCC 1034G  
October 1997



FEDERAL COMMUNICATIONS COMMISSION  
1270 FAIRFIELD ROAD  
GETTYSBURG, PA 17325-7245

**APPLICATION RETURN NOTICE FOR THE  
PRIVATE LAND MOBILE RADIO SERVICES**

PIONEER NATURAL RESOURCES CO  
1400 WILLIAMS SQ WEST  
5205 N O'CONNOR BLVD  
IRVING TX 75039-3746  
ATTN: OPERATIONS

DATE: 11/24/97 DES  
FILE NO: VARIOUS

Your application(s) is returned for the reason(s) indicated. Operation under conditional authority must cease immediately if the reason(s) for the return indicate non-conformance with the certifications required for conditional authority. Please make appropriate changes and/or supply the required information and resubmit your application(s) with this Return Notice and all attachments. Corrected applications must be resubmitted to reach the Commission at the above address **WITHIN 60 DAYS** of the date of return to retain their place in the processing line. These deadlines must be met even if the application must be refiled through the coordinator. Resubmitted applications that are received beyond this prescribed time must be accompanied by a new fee and, according to Rule 90.175 (Excluding Broadcast Auxiliary applicants), those requiring frequency coordination must be accompanied by new coordination if the original has expired. These applications will be handled as new applications according to the latest receipt date. General information may be obtained from the FCC's National Call Center at 1-888-225-5322.

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*Ind. Assoc.  
PCL A  
800 759 0300  
x 3062*

FCC 1034G  
October 1997

0 \* **UNITED STATES OF AMERICA  
FEDERAL COMMUNICATIONS COMMISSION**

FOR  
FCC  
USE  
ONLY

**FCC/MELLON NOV 19 1997**

45 \* **OR CONSENT TO TRANSFER CONTROL OF CORPORATION HOLDING STATION LICENSE**  
33 \* **application must be filed before Transfer of Control takes place)**

1,435.00 \* **imited Partnership/ Mesa Operating Co. (MESA)**

(b) Number and street address <b>1400 W. Williams Square, 5205 North O'Connor Blvd.</b>			
(c) City <b>Irving</b>	(d) State <b>TX</b>	(e) ZIP Code <b>75039-3746</b>	
2. Internet address:		3. Taxpayer Identification Number <b>75-2516853 (remains the same)</b>	
4. Call sign and radio service of each station  <b>See attached list</b>			
5.(a) Fee Type Code <b>PATM</b>	(b) Fee Multiple <b>33</b>	(c) Fee Due <b>45.00, 485.00</b>	FOR FCC USE ONLY <b>1485.00</b>
6. Name(s) and Address(es) of Transferee <b>Pioneer Natural Resources Co.USA, Inc.</b> <b>1400 Williams Sq. West, 5205 No. O'Connor Blvd., Irving, TX 75039-3746</b>			
7. Subsequent to the Transfer of Control, will the licensee corporation be the same corporate entity? That is, will it retain its present name, corporate charter, State of incorporation, etc.? If "NO", give details on Page 3.			YES NO <input type="checkbox"/> <input checked="" type="checkbox"/>
8. Subsequent to the Transfer of Control, will the licensee corporation be a representative of any foreign government? If "YES", give details on Page 3.			YES NO <input type="checkbox"/> <input checked="" type="checkbox"/>
<b>9. THIS SECTION TO BE ANSWERED ONLY BY LICENSEES OF PUBLIC COAST, AIRPORT CONTROL TOWER, AERONAUTICAL ENROUTE, AERONAUTICAL FIXED, OR COMMON CARRIER ALASKA PUBLIC FIXED STATIONS. SUBSEQUENT TO THE TRANSFER OF CONTROL:</b>			
(a) Will any officer or director of such corporation be an alien? If "YES", see instruction 6.			YES NO <input type="checkbox"/> <input type="checkbox"/>
(b) Will more than 1/5 of the capital stock be either owned of record or may it be voted by aliens or their representatives, or by a foreign government or representative thereof, or by any corporation organized under the laws of a foreign country? If "YES", see instruction 6.			YES NO <input type="checkbox"/> <input type="checkbox"/>
(c) Will the licensee be directly or indirectly controlled by any other corporation? If "YES", answer items (d) through (h) below.			YES NO <input type="checkbox"/> <input type="checkbox"/>
(d) What is the name and address of the corporation in immediate control?			
(e) Under the laws of what State or Country is the controlling corporation organized?			
(f) Is more than 1/4 of the capital stock of controlling corporation either owned of record or may it be voted by aliens or their representatives, or by a foreign government or representative thereof, or by any corporation organized under the laws of a foreign country? If "YES", give details on Page 3.			YES NO <input type="checkbox"/> <input type="checkbox"/>
(g) Is any officer or more than 1/4 of the directors of the controlling corporation an alien? If "YES", on Page 3 state name, nationality, and position of each, and state the total number of directors, and give a brief biographical statement for each alien.			YES NO <input type="checkbox"/> <input type="checkbox"/>
(h) Is the controlling corporation in turn controlled by other companies? If "YES", on Page 3, or a separate sheet of paper, provide information for each of these controlling companies covering information requested in items (d) through (h).			YES NO <input type="checkbox"/> <input type="checkbox"/>

**CERTIFICATION**

- Applicant waives any claim to the use of any particular frequency regardless of prior use by license or otherwise;
- Applicant will have unlimited access to the radio equipment and will control access to exclude unauthorized persons;
- Neither applicant nor any member thereof is a foreign government or representative thereof;
- Applicant certifies that all statements made in this application and attachments are true, complete and made in good faith;
- Neither the applicant nor any other party to the application is subject to a denial of Federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862, because of a conviction for possession or distribution of a controlled substance.

**WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. CODE, TITLE 47, SECTION 312(A)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).**

**SIGNATURE**

*[Signature]*  
Authorized Signatory of Licensee Corporation

**DATE** 10-29-97

**SIGNATURE**

*[Signature]*  
Transferor of Control (Check one)


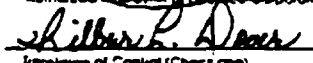
**DATE** 10-29-97

☐ Individual ☐ Partner ☒ Officer ☐ Other (Specify):

UNITED STATES OF AMERICA  
FEDERAL COMMUNICATIONS COMMISSION

FOR  
FCC  
USE  
ONLY

**PART I - APPLICATION FOR CONSENT TO TRANSFER CONTROL OF CORPORATION HOLDING STATION LICENSE**  
(This application must be filed before Transfer of Control takes place)

1.(a) Name of corporate licensee <b>Mesa Operating Limited Partnership/ Mesa Operating Co. (MESA)</b>			
(b) Number and street address <b>1400 W. Williams Square, 5205 North O'Connor Blvd.</b>			
(c) City <b>Irving</b>	(d) State <b>TX</b>	(e) ZIP Code <b>75039-3746</b>	
2. Internet address:		3. Taxpayer Identification Number <b>75-2516853 (remains the same)</b>	
4. Call sign and radio service of each station  <b>See attached list</b>			
5.(a) Fee Type Code <b>PATM</b>	(b) Fee Multiple <b>33</b>	(c) Fee Due <b>\$1,485.00</b>	FOR FCC USE ONLY
6. Name(s) and Address(es) of Transferee <b>Pioneer Natural Resources Co.USA, Inc.</b> <b>1400 Williams Sq. West, 5205 No. O'Connor Blvd., Irving, TX 75039-3746</b>			
7. Subsequent to the Transfer of Control, will the licensee corporation be the same corporate entity? That is, will it retain its present name, corporate charter, State of incorporation, etc.? If "NO", give details on Page 3.			YES NO <input type="checkbox"/> <input checked="" type="checkbox"/>
8. Subsequent to the Transfer of Control, will the licensee corporation be a representative of any foreign government? If "YES", give details on Page 3.			<input type="checkbox"/> <input checked="" type="checkbox"/>
<b>9. THIS SECTION TO BE ANSWERED ONLY BY LICENSEES OF PUBLIC COAST, AIRPORT CONTROL TOWER, AERONAUTICAL ENROUTE, AERONAUTICAL FIXED, OR COMMON CARRIER ALASKA PUBLIC FIXED STATIONS. SUBSEQUENT TO THE TRANSFER OF CONTROL:</b>			
(a) Will any officer or director of such corporation be an alien? If "YES", see Instruction 6.			YES NO <input type="checkbox"/> <input type="checkbox"/>
(b) Will more than 1/5 of the capital stock be either owned of record or may it be voted by aliens or their representatives, or by a foreign government or representative thereof, or by any corporation organized under the laws of a foreign country? If "YES", see Instruction 6.			<input type="checkbox"/> <input type="checkbox"/>
(c) Will the licensee be directly or indirectly controlled by any other corporation? If "YES", answer items (d) through (h) below.			<input type="checkbox"/> <input type="checkbox"/>
(d) What is the name and address of the corporation in immediate control?			
(e) Under the laws of what State or Country is the controlling corporation organized?			
(f) Is more than 1/4 of the capital stock of controlling corporation either owned of record or may it be voted by aliens or their representatives, or by a foreign government or representative thereof, or by any corporation organized under the laws of a foreign country? If "YES", give details on Page 3.			YES NO <input type="checkbox"/> <input type="checkbox"/>
(g) Is any officer or more than 1/4 of the directors of the controlling corporation an alien? If "YES", on Page 3 state name, nationality, and position of each, and state the total number of directors, and give a brief biographical statement for each alien.			<input type="checkbox"/> <input type="checkbox"/>
(h) Is the controlling corporation in turn controlled by other companies? If "YES", on Page 3, or a separate sheet of paper, provide information for each of these controlling companies covering information requested in Items (d) through (h).			<input type="checkbox"/> <input type="checkbox"/>
<b>CERTIFICATION</b>			
<ul style="list-style-type: none"><li>● Applicant waives any claim to the use of any particular frequency regardless of prior use by license or otherwise;</li><li>● Applicant will have unlimited access to the radio equipment and will control access to exclude unauthorized persons;</li><li>● Neither applicant nor any member thereof is a foreign government or representative thereof;</li><li>● Applicant certifies that all statements made in this application and attachments are true, complete and made in good faith;</li><li>● Neither the applicant nor any other party to the application is subject to a denial of Federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862, because of a conviction for possession or distribution of a controlled substance.</li></ul>			
WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001, REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. CODE, TITLE 47, SECTION 312(A)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).			
SIGNATURE 		DATE <b>10-29-97</b>	
SIGNATURE 		DATE <b>10-29-97</b>	
Transferor of Control (Check one) <input type="checkbox"/> Individual <input type="checkbox"/> Partner <input checked="" type="checkbox"/> Officer <input type="checkbox"/> Other (Specify): _____			

**DETAILS / ADDITIONAL INFORMATION:**

Due to merger, company name will change. . . . Formerly Mesa Operating Limited Partnership/ Mesa Operating Co. (MESA) The new name is Pioneer Natural Resources Company USA, Inc.

All else remains the same.

UNITED STATES OF AMERICA  
FEDERAL COMMUNICATIONS COMMISSION

**PART II - AUTHORIZATION TO HOLD STATION LICENSE(S) AFTER TRANSFER OF CONTROL OF CORPORATION****1. Name and mailing address of corporate licensee**

Pioneer Natural Resources  
1400 Williams Square West  
5205 North O'Connor Blvd.  
Irving TX 75039-3746  
Attn: Operations

**2. Call sign and radio service of each station**

See attached list.

**DO NOT WRITE IN THIS BLOCK****CONDITIONS OF GRANT**

The corporate licensee is hereby authorized to continue holding the radio station license(s) listed in item 2 on the basis of the representations made in the application for this authorization.

This authorization is granted for the term of the outstanding license(s) for the station(s) listed in item 2.

**DATE AUTHORIZED:**

FEDERAL  
COMMUNICATIONS  
COMMISSION

**THIS AUTHORIZATION TO BE FILED WITH  
CORPORATION'S RADIO STATION RECORDS**

## INSTRUCTIONS

1. This form applies only to stations authorized under Parts 5, 80, 87, 90 and 95 of FCC Rules. This application must be filed where the only change is the transfer of control of the corporate licensee. If other changes are to be made or have been made, the appropriate application for modification of license should be filed.
2. Information entered for items 1 through 4 of Part I should be that of the current corporate licensee. If your answer differs, an explanation should be provided.
3. Enter an Internet address (if available) in Item 2 where the FCC can send you mail regarding your application.
4. Enter the Taxpayer Identification Number (EIN) in item 3. The Commission is required to collect this information to comply with the Debt Collection Improvement Act of 1996.
5. Item 5 must be completed by all applicants EXCEPT Marine Ship and Aviation Aircraft Licensees which are exempt from Transfer of Control fee requirements. All other applicants must complete item 3 as follows:  
  
In item 5(a) enter the four letter Fee Type Code "PATM" if the call sign(s) being transferred is authorized in the Land Mobile, Marine Coast, Aviation Ground, or General Mobile Radio Services. If the call sign(s) being transferred is authorized in the Experimental Radio Services (FCC Rules Part 5), enter the three letter Fee Type Code "EAE".  
  
Complete item 5(b) with the Fee Multiple (number of call signs listed in item 4). Complete item 5(c) with the number obtained from multiplying the correct fee by the number in item 5(b). See the current Fee Filing Guide, or contact the FCC at (800) 322-1117 for the correct fee. The amount in item 5(c) is the total filing fee required for your application.
6. The information to be given in items 7, 8, and 9 should be that information which will be true after the Transfer of Control has taken place. If the answer to item 9(a) and (b) is "Yes", do not file this application, as the corporation would not be eligible for a license.
7. The application must be signed and dated by an authorized employee of the licensee corporation and by the transferee of the control of the licensee corporation.
8. Complete items 1 and 2 of Part II. If item 1 differs from that of the current corporate licensee, an explanation should be provided.

## WHERE TO FILE

### FEE EXEMPT APPLICATIONS:

Transfer of Control for Marine Ship or  
Aviation Aircraft Radio Services

Mail to: Federal Communications Commission  
1270 Fairfield Road  
Gettysburg, PA 17325-7245

### APPLICATIONS REQUIRING A FEE:

Transfer of Control for Land Mobile,  
General Mobile, Marine Coast or  
Aviation Ground

Mail to: Federal Communications Commission  
Transfer of Control  
P. O. Box 358310  
Pittsburgh, PA 15251-5310

Transfer of Control for Experimental  
Radio Service

Mail to: Federal Communications Commission  
Experimental Radio Service  
P. O. Box 358320  
Pittsburgh, PA 15251-5320

Public burden for this collection of information is estimated to be thirty-six minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden to the Federal Communications Commission, Records Management Branch, AMD-IM, Washington, DC 20554, Paperwork Reduction Project (3060-0053). DO NOT SEND COMPLETED APPLICATIONS TO THIS WASHINGTON, DC ADDRESS. Individuals are not required to respond to a collection of information unless it displays a currently valid OMB control number.

### **NOTICE TO INDIVIDUALS REQUIRED BY PRIVACY ACT OF 1974 AND THE PAPER WORK REDUCTION ACT OF 1995**

The solicitation of personal information requested in this form is authorized by the Communications Act. The Commission will use the information provided in this form to determine whether grant of this application is in the public interest. In reaching that determination, or for law enforcement purposes (for example, fraudulent applications), it may become necessary to refer personal information contained in this form to another government agency. In addition, all information provided in this form, except for Taxpayer Identification Number, will be available for public inspection. If information requested on the form is not provided, processing of the application may be delayed or the application may be returned without action pursuant to Commission Rules. The foregoing notice is required by the Privacy Act of 1974, Public Law 93-579, December 31, 1974, 5 U.S.C. Section 552a(e)(3) and the Paperwork Reduction Act of 1995, Public Law 104-13, October 1, 1995, 44 U.S.C. 3507.

READ INSTRUCTIONS CAREFULLY  
BEFORE PROCEEDING

358310

FEDERAL COMMUNICATIONS COMMISSION  
**REMITTANCE ADVICE**

PAGE NO 1 OF 2

APPROVED BY OMB 3060-0589

SPECIAL USE

FCC USE ONLY

(1) LOCKBOX #

**SECTION A - PAYER INFORMATION**

(2) PAYEE NAME (if paying by credit card, enter name exactly as it appears on your card)

Pioneer Natural Resources Co. USA, Inc.

(3) TOTAL AMOUNT PAID (dollars and cents)

\$1,485.00

(4) STREET ADDRESS LINE NO. 1

1400 Williams Sq. West, 5205 No. O'Connor Blvd.

(5) STREET ADDRESS LINE NO. 2

(6) CITY

Irving

(7) STATE

TX

(8) ZIP CODE

75039-3746

(9) DAYTIME TELEPHONE NUMBER (include area code)

972/ 444-9001

(10) COUNTRY CODE (if not in U.S.A.)

**IF PAYER NAME AND THE APPLICANT NAME ARE DIFFERENT, COMPLETE SECTION B  
IF MORE THAN ONE APPLICANT, USE CONTINUATION SHEETS (FORM 159-C)**

**SECTION B - APPLICANT INFORMATION**

(11) APPLICANT NAME (if paying by credit card, enter name exactly as it appears on your card)

(12) STREET ADDRESS LINE NO. 1

(13) STREET ADDRESS LINE NO. 2

(14) CITY

(15) STATE

(16) ZIP CODE

(17) DAYTIME TELEPHONE NUMBER (include area code)

(18) COUNTRY CODE (if not in U.S.A.)

**COMPLETE SECTION C FOR EACH SERVICE, IF MORE BOXES ARE NEEDED, USE CONTINUATION SHEETS (FORM 159-C)**

**SECTION C - PAYMENT INFORMATION**

(19A) FCC CALL SIGN/OTHER ID

see attached

(20A) PAYMENT TYPE CODE (PTC)

P A T M

(21A) QUANTITY

55

(22A) FEE DUE FOR (PTC) IN BLOCK 20A

\$1,485.00

FCC USE ONLY

(23A) FCC CODE 1

(24A) FCC CODE 2

(19B) FCC CALL SIGN/OTHER ID

(20B) PAYMENT TYPE CODE (PTC)

(21B) QUANTITY

(22B) FEE DUE FOR (PTC) IN BLOCK 20B

FCC USE ONLY

(23B) FCC CODE 1

(24B) FCC CODE 2

(19C) FCC CALL SIGN/OTHER ID

(20C) PAYMENT TYPE CODE (PTC)

(21C) QUANTITY

(22C) FEE DUE FOR (PTC) IN BLOCK 20C

FCC USE ONLY

(23C) FCC CODE 1

(24C) FCC CODE 2

(19D) FCC CALL SIGN/OTHER ID

(20D) PAYMENT TYPE CODE (PTC)

(21D) QUANTITY

(22D) FEE DUE FOR (PTC) IN BLOCK 20D

FCC USE ONLY

(23D) FCC CODE 1

(24D) FCC CODE 2

**SECTION D - TAXPAYER INFORMATION (REQUIRED)**

(25)

PAYER TIN

0 7 5 2 5 1 6 8 5 3

(26) COMPLETE THIS BLOCK ONLY IF APPLICANT NAME IN B-11 IS DIFFERENT FROM PAYER NAME IN A-2

APPLICANT TIN

0 7 5 2 5 1 6 8 5 3

**SECTION E - CERTIFICATION**

(27) CERTIFICATION STATEMENT

I, Wilbur L. Dover,

(PRINT NAME)

Certify under penalty of perjury that the foregoing and supporting information  
are true and correct to the best of my knowledge, information and belief. SIGNATURE Wilbur L. Dover

**SECTION F - CREDIT CARD PAYMENT INFORMATION**

(28)

MASTERCARD/VISA ACCOUNT NUMBER:

EXPIRATION DATE:

MASTERCARD

VISA

I hereby authorize the FCC to charge my VISA or MASTERCARD

AUTHORIZED SIGNATURE

MONTH YEAR

DATE

For the service(s) authorized herein described.



September 18, 1997

**PIONEER**  
NATURAL RESOURCES



Mesa Operating Limited Partnership/Mesa Operating Co. (MESA) requests the Federal Communications Commission to change the current Licensee Name (MESA) to Pioneer Natural Resources Company on the following active private radio stations:

LOCATION	CALL SIGN	EXPIRATION	STATUS
<b>ONSHORE</b>			
FAIN TOWER	KKC515	09-25-02	ACTIVE
FAIN (WALKIE TALKIES)	WPAJ386	08-20-02	ACTIVE
FAIN "B" CONTRACT (TRANSMITTERS)	WNRS495	04-03-00	ACTIVE
NORTH DAKOTA	WNWY914	08-07-01	ACTIVE
ULYSSES PLANT	WNSS720	07-10-00	ACTIVE
ULYSSES PRODUCTION	WFT251	04-09-02	ACTIVE
<b>OFFSHORE PLATFORMS</b>			
GRAND CHENIER	WNKG287	11-04-97	ACTIVE
OYSTER CREEK	KNFJ333	10-13-97	ACTIVE
PL-13	WNKB301	10-14-97	ACTIVE
BA-A39	WNKB312	10-14-97	ACTIVE
BA-A7	WNKB311	10-14-97	ACTIVE
HI-313	WNKB308	10-14-97	ACTIVE
HL-55L	WNKB309	10-14-97	ACTIVE
WD-61	WNKB300	10-14-97	ACTIVE
VR-397	WNKB306	10-19-97	ACTIVE
SMI-155	WNKB303	10-19-97	ACTIVE

LOCATION	CALL SIGN	EXPIRATION	STATUS
MI-624	WNLR401	05-23-98	ACTIVE
ICY	WNLZ824	06-20-98	ACTIVE
EC-322	WNLZ936	06-20-98	ACTIVE
VR-348	WNKB304	10-19-97	ACTIVE
ESTER TOWER	WNLZ824	06-20-98	ACTIVE
EI-208	WNKB310	08-07-02	ACTIVE
VHF MARINE-LOUISIANA			
ICY BASE	WHW429	02-06-02	ACTIVE
SMI-155	WHW427	02-06-02	ACTIVE
S. PELTO 13	WHW423	02-06-02	ACTIVE
VERMILION 348	WHW419	02-06-02	ACTIVE
VERMILION 397	WHW418	02-06-02	ACTIVE
WD-61	WHW430	02-06-02	ACTIVE
EC-322	WHW584	03-05-00	ACTIVE
VHF MARINE-TEXAS			
BRAZOS A-7	WHW433	02-06-02	ACTIVE
BRAZOS A-39	WHW413	02-06-02	ACTIVE
HI-313	WHW431	02-06-02	ACTIVE
MI-624	WHW434	02-06-02	ACTIVE



# Federal Communications Commission

Wireless Telecommunications Bureau  
1270 Fairfield Road  
Gettysburg, PA 17325-7245

September 30, 1997

RECEIVED  
OCT - 6 1997  
GAS PROCESSING

RECEIVED  
OCT 06 1997

In reply refer to:  
7170-15

ASB  
Pioneer Natural Resources Company  
POB 2009  
Amarillo, TX 79105

AMARILLO PRODUCTION

The following information is in response to your recent inquiry or application:

- ( ) Additional information is needed in order to appropriately respond to your inquiry. Please supply the requested information and **RETURN YOUR ORIGINAL LETTER** along with this letter to the above address.  
Applicant Name:  
Mailing Address:  
Call Sign:  
Radio Service:  
Frequencies:  
File Number (if known):  
Transmitter Location:  
Date Submitted:
- ( ) A computer generated renewal form, FCC Form 574R, is sent 60-90 days prior to the expiration date of the license. If you do not receive the FCC Form 574R, you may use the enclosed FCC Form 405A. Please note: You may not file a renewal application more than 90 days prior to the expiration date of the license (~~Rule~~ 1.926(b)).
- (X) Your name change indicates a possible change in ownership (due to the merger), corporate structure (change from a partnership to a company), or control, which requires a modification as defined in Rule 90.135. If ownership, corporate structure, or control has changed, you must file FCC Forms 600 and 1046 or FCC Form 490 or FCC Form 703 as appropriate.
- ( ) Other:

If you have further questions, please contact the FCC at 888-<sup>225-5322</sup>CALL FCC.

Informal Complaints & Public Inquiry Branch  
Consumer Resources & Enforcement Division



# APPLICATION FOR RENEWAL OF PRIVATE RADIO STATION LICENSE

(THIS FORM MUST BE COMPLETED, SIGNED AND SUBMITTED TO THE FCC)

MESA OPERATING LIMITED PARTNERSHIP  
PO BOX 2009  
AMARILLO, TX 79189

881S 1 2

1. Call Sign	2. Fee Type Code	3. Fee Multiple	4. Fee Due	5. FCC Use Only

6. PURPOSE OF APPLICATION: Place an "X" in applicable box(es)

<input type="checkbox"/> RENEWAL	<input type="checkbox"/> CHANGE OF MAILING ADDRESS	<input checked="" type="checkbox"/> CHANGE OF LICENSEE NAME <small>(Without change of ownership, corporate structure or control)</small>	<input type="checkbox"/> CHANGE IN MOBILE UNITS <small>(Land Mobile only)</small>	<input type="checkbox"/> CANCELLATION OF LICENSE <small>(No fee required)</small>
----------------------------------	--	---	--	--

YOUR APPLICATION FOR RENEWAL MUST BE ACCOMPANIED BY A CHECK OR MONEY ORDER FOR \$60.00 MADE PAYABLE TO FCC. DO NOT SEND CASH. MAIL YOUR COMPLETED APPLICATION WITH PAYMENT TO:

FEDERAL COMMUNICATIONS COMMISSION  
574R LAND MOBILE RENEWAL  
P.O. BOX 358245  
PITTSBURGH, PA 15251-5245

**Active**  
**ON ALL Permits**  
**ISSUED TO MESA**

## INSTRUCTIONS

The radio station represented on this form will expire as indicated on the reverse side. This form may be used to file for renewal, change (without change of legal entity), change of mailing address, or change in the number of mobile units for Land Mobile licensees. You may make changes on the reverse of this form. This form may also be used to request license cancellation.

Check the information on the reverse side. You may correct misspelled or incomplete data, and modify as noted above. If any other changes necessary, do not file this form. You must apply for modification of your license by filing FCC Form 600 for Part 90 Radio Services or FCC Form 601 for General Mobile Radio Service. GENERAL MOBILE RADIO SERVICE LICENSEES: Effective January 1, 1989, a non-individual may not make modification to their license. It is suggested that you contact a radio equipment dealer for assistance and if eligible, apply for a license in one of the Land Mobile Radio Services.

If all the technical information on this form is correct, place an "X" in the appropriate box(es) in item 6, and have the application signed and dated by an authorized person. If the station is no longer in operation, you may file for CANCELLATION of the license in item 6. No fee required. Mail signed application for cancellation to Federal Communications Commission, 1270 Fairfield Road, Gettysburg, PA 17325-7245.

## CERTIFICATION:

- 1) Applicant certifies to possession of current FCC Rules for the requested radio service, if required.
- 2) Applicant waives any claim to the use of any particular frequency regardless of prior use by license or otherwise.
- 3) Applicant will have unlimited access to the radio equipment and will control access to exclude unauthorized persons.
- 4) Neither applicant nor any member thereof is a foreign government or representative thereof.
- 5) Neither the applicant nor any other party to the application is subject to a denial of Federal benefits that includes FCC benefits pursuant to 501 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 882, because of a conviction for possession or distribution of a controlled substance.
- 6) Applicant certifies that all statements made in this application are true, complete and made in good faith.
- 7) Applicant certifies that grant of this request would not have a significant environmental effect as defined by 47 CFR 1.1307, including compliance with applicable standards for human exposure to radiofrequency radiation.

Willful false statements made on this form are punishable by fine and/or imprisonment (U.S.C. Title 18, Sec. 1001), and/or revocation of any license or construction permit (U.S.C. Title 47, Sec. 312(a)(1)), and/or forfeiture (U.S.C. Title 47, Sec. 503).

TYPED/PRINTED NAME:

Johnny M. Remschmidt

TELEPHONE:

(806) 378-4888

SIGNATURE

Johnny M. Remschmidt

DATE

09-15-97

APPLICANT CLASSIFICATION (Select one)

☒ Authorized Employee of Applicant Corporation

☐ General Partner of Applicant Partnership

☐ Individual Applicant

☐ Officer who is also a Member of Applicant Association

☐ Official of Government Entity

**SEE REVERSE**



September 18, 1997

**PIONEER**  
NATURAL RESOURCES COMPANY, INC.

Federal Communications Commission  
Private Radio Station License Section  
1220 Fairfield Road  
Gettysburg PA 17325-7245✓



Gentlemen:

Subject: Change of License Name (Name Only)  
Thirty-Three (33) Private Radio Stations  
Pioneer Natural Resources Company (formerly Mesa Operating Co.)

Mesa Operating Limited Partnership/Mesa Operating Co. (MESA) requests the Federal Communications Commission to change the current Licensee Name (MESA) to Pioneer Natural Resources Company on the following active private radio stations:

LOCATION	CALL SIGN	EXPIRATION	STATUS
ONSHORE			
FAIN TOWER	KKC515	09-25-02	ACTIVE
FAIN (WALKIE TALKIES)	WPAJ386	08-20-02	ACTIVE
FAIN "B" CONTRACT (TRANSMITTERS)	WNRS495	04-03-00	ACTIVE
NORTH DAKOTA	WNWY914	08-07-01	ACTIVE
ULYSSES PLANT	WNSS720	07-10-00	ACTIVE
ULYSSES PRODUCTION	WFT251	04-09-02	ACTIVE
OFFSHORE PLATFORMS			
GRAND CHENIER	WNKG297	11-04-97	ACTIVE
OYSTER CREEK	KNFJ333	10-13-97	ACTIVE
PL-13	WNKB301	10-14-97	ACTIVE
BA-A39	WNKB312	10-14-97	ACTIVE
BA-A7	WNKB311	10-14-97	ACTIVE
HI-313	WNKB308	10-14-97	ACTIVE
HL-55L	WNKB309	10-14-97	ACTIVE
WD-61	WNKB300	10-14-97	ACTIVE
VR-397	WNKB306	10-19-97	ACTIVE
SMI-155	WNKB303	10-19-97	ACTIVE

LOCATION	CALL SIGN	EXPIRATION	STATUS
MI-624	WNLR401	05-23-98	ACTIVE
ICY	WNLZ824	06-20-98	ACTIVE
EC-322	WNLZ936	06-20-98	ACTIVE
VR-348	WNKB304	10-19-97	ACTIVE
ESTER TOWER	WNLZ824	06-20-98	ACTIVE
EI-208	WNKB310	08-07-02	ACTIVE
VHF MARINE-LOUISIANA			
ICY BASE	WHW429	02-06-02	ACTIVE
SMI-155	WHW427	02-06-02	ACTIVE
S. PELTO 13	WHW423	02-06-02	ACTIVE
VERMILION 348	WHW419	02-06-02	ACTIVE
VERMILION 397	WHW418	02-06-02	ACTIVE
WD-61	WHW430	02-06-02	ACTIVE
EC-322	WHW584	03-06-00	ACTIVE
VHF MARINE-TEXAS			
BRAZOS A-7	WHW433	02-06-02	ACTIVE
BRAZOS A-39	WHW413	02-06-02	ACTIVE
HI-313	WHW431	02-06-02	ACTIVE
MI-624	WHW434	02-06-02	ACTIVE

MESA merged with another company to form Pioneer Natural Resources Company. The locations and officer control will remain the same. Thank you for your assistance. If you have any questions and/or comments pertaining to this submittal please contact:

Onshore: Mr. George Dixon at (806) 378-4877  
Offshore & Marine: Mr. Zie Thomas at (318) 237-7810

Sincerely,

  
Johnny M. Reinschmidt  
Environmental Coordinator

te:jmr/namechg.fcc

copies to: Henry Galpin  
George Dixon  
Gayron Brown  
Zie Thomas



# APPLICATION FOR RENEWAL OF PRIVATE RADIO STATION LICENSE

(THIS FORM MUST BE COMPLETED, SIGNED AND SUBMITTED TO THE FCC)

MESA OPERATING LIMITED PARTNERSHIP  
PO BOX 2009  
AMARILLO, TX 79189

881S 1 2

1. Call Sign	2. Fee Type Code	3. Fee Multiple	4. Fee Due	5. FCC Use Only

6. PURPOSE OF APPLICATION: Place an "X" in applicable box(es)

☐ RENEWAL

☐ CHANGE OF  
MAILING ADDRESS

☒ CHANGE OF LICENSEE NAME  
(Without change of ownership,  
corporate structure or control)

☐ CHANGE IN  
MOBILE UNITS  
(Land Mobile only)

☐ CANCELLATION  
OF LICENSE  
(No fee required)

YOUR APPLICATION FOR RENEWAL MUST BE ACCOMPANIED BY A CHECK OR MONEY ORDER FOR \$60.00 MADE PAYABLE TO FCC. DO NOT SEND CASH. MAIL YOUR COMPLETED APPLICATION WITH PAYMENT TO:

FEDERAL COMMUNICATIONS COMMISSION  
574R LAND MOBILE RENEWAL  
P.O. BOX 358245  
PITTSBURGH, PA 15251-5245

**Active**  
**ON ALL Permits**  
**Issued to MESA**

## INSTRUCTIONS

The radio station represented on this form will expire as indicated on the reverse side. This form may be used to file for renewal, change of (without change of legal entity), change of mailing address, or change in the number of mobile units for Land Mobile licensees. You may make changes on the reverse of this form. This form may also be used to request license cancellation.

Check the information on the reverse side. You may correct misspelled or incomplete data, and modify as noted above. If any other change is necessary, do not file this form. You must apply for modification of your license by filing FCC Form 600 for Part 90 Radio Services or FCC Form 601 for General Mobile Radio Service. GENERAL MOBILE RADIO SERVICE LICENSEES: Effective January 1, 1989, a non-individual may not make modification to their license. It is suggested that you contact a radio equipment dealer for assistance and if eligible, apply for a license in one of the Land Mobile Radio Services.

If all the technical information on this form is correct, place an "X" in the appropriate box(es) in item 6, and have the application signed and dated by an authorized person. If the station is no longer in operation, you may file for CANCELLATION of the license in item 6. No fee required. Mail signed application for cancellation to Federal Communications Commission, 1270 Fairfield Road, Gettysburg, PA 17325-7245.

## CERTIFICATION:

- 1) Applicant certifies to possession of current FCC Rules for the requested radio service, if required.
- 2) Applicant waives any claim to the use of any particular frequency regardless of prior use by license or otherwise.
- 3) Applicant will have unlimited access to the radio equipment and will control access to exclude unauthorized persons.
- 4) Neither applicant nor any member thereof is a foreign government or representative thereof.
- 5) Neither the applicant nor any other party to the application is subject to a denial of Federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862, because of a conviction for possession or distribution of a controlled substance.
- 6) Applicant certifies that all statements made in this application are true, complete and made in good faith.
- 7) Applicant certifies that grant of this request would not have a significant environmental effect as defined by 47 CFR 1.1307, including compliance with applicable standards for human exposure to radiofrequency radiation.

Willful false statements made on this form are punishable by fine and/or imprisonment (U.S.C. Title 18, Sec. 1001), and/or revocation of any license or construction permit (U.S.C., Title 47, Sec. 312(a)(1)), and/or forfeiture (U.S.C., Title 47, Sec. 503).

TYPED/PRINTED NAME: Johnny M Renschmidt

TELEPHONE: (806) 378-4888

SIGNATURE: Johnny M Renschmidt

DATE: 09-15-97

APPLICANT CLASSIFICATION (Select one)

☒ Authorized Employee of  
Applicant Corporation

☐ General Partner of  
Applicant Partnership

☐ Individual Applicant

☐ Officer who is also a Member  
of Applicant Association

☐ Official of Government  
Entity

(SEE REVERSE)

# Payment Transactions Detail Report

Date: 5/18/98

BY: FEE CONTROL NUMBER

Fee Control Number	Payor Name	Account Number	Received Date
9711208310054001	PIONEER NATURAL RESOURCES USA PO BOX 3178	FCC2088186	11/19/97

MIDLAND TX 79702

Payment Amount	Current Balance	Seq Num	Payment Type Code	Quantity	Callsign Other Id	Applicant Name	Applicant Zip	Bad Check	Detail Amount	Trans Code	Payment Type
\$1,485.00	\$1,485.00	1	PATM	33	KKC515	MESA OPERATING LIMITED PARTNER	750393746		\$1,485.00	1	PMT
Total									\$1,485.00		

FEDERAL COMMUNICATIONS COMMISSION  
Washington, D. C. 20554

JUL 16 1998

OFFICE OF  
MANAGING DIRECTOR

RECEIVED

OCT - 8 1998

Mr. L. K. Price  
P. O. Box 196  
123 N. Liberty  
Rushville, IL 62681

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Re: Request for Waiver of Regulatory Fee  
Fee Control # 9609268835214003  
Fee Paid: \$830  
Fee Control # 9709188835052014  
Fee Paid: \$400

Dear Mr. Price:

This is in response to your request for a waiver of the Fiscal Year (FY) 1996 regulatory fee for FM Radio Station WKXQ, Rushville, Illinois. Please excuse our failure to respond to your request in a more timely manner.

You maintain that Rushville is located in a county which has been designated as a poverty area by the Illinois Institute of Rural Affairs. Your station has only two part time employees, and although you and your wife work 12 to 15 hours a day, seven days a week, your combined income from WKXQ was only \$6,875.

In establishing its regulatory fee program, the Commission recognized that in certain instances payment of a regulatory fee may impose an undue financial hardship upon a licensee. Thus, the Commission decided to grant waivers or reductions of its regulatory fees in those instances where a "petitioner presents a compelling case of financial hardship". Implementation of Section 9 of the Communications Act, 9 FCC Rcd 5333, 5346 (1994), reconsideration granted, 10 FCC Rcd 12759 (1995). The Commission further held that regulatees can establish financial need by submitting:

[I]nformation such as a balance sheet and profit and loss statement (audited, if available), a cash flow projection . . . (with an explanation of how calculated), a list of their officers and their individual compensation, together with a list of their highest paid employees, other than officers, and the amount of their compensation, or similar information.

10 FCC Rcd at 12761-2762.


In determining whether a licensee has sufficient revenues to pay its regulatory fees, the Commission relies upon a licensee's cash flow, as opposed to the entity's profits. Thus, although

deductions for amortization and depreciation, which do not affect cash flow, and payments to principals, reduce gross income for tax purposes, those deductions also represent money which is considered to be available to pay the regulatory fee.

In the absence of appropriate documentation, you have failed to establish a compelling case of financial hardship. Therefore, your request for waiver or reduction of the regulatory fee is dismissed. However, in view of your allegations of financial hardship, you may refile the waiver request together with appropriate supporting documentation within 30 days from the date of this letter. Moreover, if WKXQ continued to experience financial hardship, you may also file a request for waiver and refund of the FY 1997 fee, together with appropriate supporting documentation.

If you have any questions concerning the regulatory fees, please call the Chief, Fee Section, at (202) 418-1995.

Sincerely,

  
Thomas M. Holleran  
Acting Associate Managing  
Director - Financial Operations



9709268835214003  
6

RECEIVED  
Mr. 2  
FBI  
2 16 PM '96

Federal Communications Commission  
1919 M Street, N.W.  
Washington, DC.

September 19, 1996

We, the owners of WKXQ FM are submitting the check for payment of the regulatory fee in the amount of \$830.00.

We have delayed the payment as long as possible, in hopes that our financial circumstances would improve.

Due to extremely low revenues, we are requesting waiver of the fee. WKXQ is licensed to Rushville, IL. Population 3,200. The population of the county is only 7,500.

This county has been designated as a poverty area by the Illinois Institute of Rural Affairs. The population is in decline, and commercial enterprises are closing their doors.

WKXQ is owned by L.K. "Bud" and Cathy Price. We employ one salesman who works fifteen hours a week. We have one studio operator who works twenty hours a week. That is the only staff. Cathy and I work 12 to 15 hours a day, seven days a week.

As compensation for our efforts, we have drawn a gross salary of \$6,875.00 this year. We do not have an expense account. We don't eat on the station account. That is our only personal income.

Still, we endeavor to provide a vital community service and maintain our operation in compliance with FCC Rules and Regulations.

We wish to improve our signal, and have received FCC permission to change frequencies to reduce co-channel interference. This upgrade is estimated to cost \$10,000. Frankly, we don't have the money, and our plans in that area are on hold.

We also must purchase a new EANS receiver at a cost of \$3,000.00 and that is going to cause us a great hardship. Plus, the minimum wage hike means we will take home even less money next year than in 1996.

Therefore, as specified in Public Notice 64270 under the heading "WAIVERS, REDUCTIONS, AND DEFERMENTS OF REGULATORY FEES," we respectfully request full waiver of payment.

  
L.K. "Bud" Price

  
Cathy M. Price

September 19, 1996

# Payment Transactions Detail Report

Date: 3/2/98

BY: FEE CONTROL NUMBER

Fee Control Number	Payor Name	Account Number	Received Date								
9609268835214003	PRICE, LARRY PO BOX 196 123 N LIBERTY RUSHVILLE IL 62681	FCC2029779	09/20/96								
Payment Amount	Current Balance	Seq Num	Payment Type Code	Quantity	Callsign Other Id	Applicant Name	Applicant Zip	Bad Check	Detail Amount	Trans Code	Payment Type
\$830.00	\$830.00	1	MMF6	1	WKXQ	PRICE, LARRY:PRICE, CATHY	62681		\$830.00	1	PMT
Total									\$830.00		

FEDERAL COMMUNICATIONS COMMISSION  
Washington, D. C. 20554

OFFICE OF  
MANAGING DIRECTOR

July 9, 1998

RECEIVED

OCT - 8 1998

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Matthew H. McCormick, Esquire  
Reddy, Begley & McCormick  
2175 K Street, N.W.  
Suite 350  
Washington, D.C. 20037-1803

Re: Request for Waiver of Regulatory Fee  
Quality Broadcasting Corporation

Dear Mr. McCormick:


This is in response to your request for a waiver of the Fiscal Year (FY) 1997 regulatory fees for AM Radio KWYZ, Everett, Washington, licensed to Quality Broadcasting Corporation. You maintain that KWYZ is dark (not operating).

The Commission's records indicate that KWYZ had been dark pursuant to permission from the Commission, from December 1, 1996, until it returned to the air on September 8, 1997. In Implementation of Section 9 of the Communications Act, FCC 95-257, ¶ 15 (June 15, 1995), the Commission, noting that dark stations are generally either without or with greatly reduced revenues, and that imposition of a regulatory fee could be an impediment to the restoration of service by dark stations, held that it would waive the regulatory fee for stations which have ceased operation.

KWYZ was dark for almost a full year, immediately preceding the date on which the regulatory fee payment was due. Accordingly, your request is granted and the FY 1997 regulatory fee for KWYZ is waived.

If you have any questions concerning the waiver, please call the Chief, Fee Section, at (202) 418-1995.

Sincerely,

  
Thomas M. Holleran  
Acting Associate Managing  
Director - Financial Operations

000000BCB-98-013

ORIGINAL RECEIVED

SEP 19 1997

LAW OFFICES  
REDDY, BEGLEY & McCORMICK  
SUITE 350  
2175 K STREET, N.W.  
WASHINGTON, D.C. 20037-1803

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

DENNIS F. BEGLEY  
MATTHEW H. McCORMICK

(202) 659-5700

EDWARD B. REDDY  
(1915-1990)

FACSIMILE NUMBER  
(202) 659-5711

September 19, 1997

Mr. William F. Caton, Acting Secretary  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C. 20554

Re: Station KWYZ(AM), Everett, Washington  
Request for Waiver and Deferral of Regulatory Fees

Dear Mr. Caton:

Quality Broadcasting Corporation ("QBC"), licensee of Station KWYZ(AM), Everett, Washington, herein respectfully requests waiver of the FY 1997 Regulatory Fees for Station KWYZ. In the event that this waiver request is denied, QBC respectfully requests a deferral of payment until 90 days after that ruling.

From December 1, 1996 until recently, KWYZ has been silent. The station went off the air due to major equipment failure. A wind storm damaged the roof of the station's transmitter building. Water leaked in and damaged important station equipment beyond repair. The station's transmitter and other significant items had to be replaced. The cost of repairs and replacement equipment totaled approximately \$30,000. But after the necessary work was completed, the station was not able to go back on the air because of financial difficulties facing the licensee.

Authority for Station KWYZ to remain silent was granted January 21 and extended on June 13, 1997. A request for a further extension of silence authority was filed September 8, 1997, and remains pending. The station, however, has recently resumed operations on a part-time basis (i.e., 7:00 a.m. to 8:00 p.m.). Full-time operations are expected to commence on or about October 1.

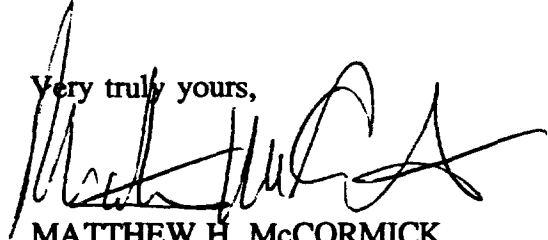
The FY 1997 Regulatory Fee for KWYZ is \$1,200.00. Under the circumstances present, that fee represents a substantial burden on QBC, which has had to struggle just to get KWYZ back on the air.

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SEP 23 3 55 PM '97  
FCC  
FEDS STATION

Mr. William F. Caton  
Page 2.  
September 19, 1997

Should any questions arise in connection with this request, please communicate directly with this office.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Matthew H. McCormick', written over the typed name.

MATTHEW H. McCORMICK  
Counsel for  
QUALITY BROADCASTING CORP.

MHM/jmr

FEDERAL COMMUNICATIONS COMMISSION

Washington, D. C. 20554

August 5, 1998

OFFICE OF  
MANAGING DIRECTOR

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OCT - 8 1998

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Francisco R. Montero, Esquire  
Fisher Wayland Cooper Leader & Zaragoza L.L.P.  
2001 Pennsylvania Ave., N.W.  
Suite 400  
Washington, 20006-1851

Re: Request for Declaratory Ruling  
Radio Broadcasters Association of Puerto Rico

Dear Mr. Montero:

This is in response to your requests for a declaratory ruling, deferment and waiver of the increase in regulatory fees for Fiscal Year 1997, filed on behalf of the member stations of the Radio Broadcasters Association of Puerto Rico (Association). You argue that because of the several factors unique to Puerto Rico, rural Puerto Rican stations are bearing a significantly greater share of the increase than stations located in large metropolitan areas.

The Commission's considers fee waiver requests on a case-by-case basis based on a specific showing of facts, when filed by applicants requesting action on their own behalf. 47 U.S.C. §159(d); 47 C.F.R. §1.1166; c.f. Fee Collection Program, 2 FCC Rcd 947, 961 ¶¶ 87-88 (1987). While there may be factors, unique to Puerto Rico, which might support a waiver for individual stations, the Association has not shown that its allegations, even if sufficient to warrant a waiver of the regulatory fees, are applicable to all Puerto Rican radio stations. Accordingly, the Commission will not issue a declaratory ruling affecting the fees to be paid by all Puerto Rican stations. The Association can be assured, however, that we will fully consider, on a case-by-case basis, the merits of any waiver request submitted on behalf of an individual Puerto Rican station.

If you have any questions concerning the regulatory fees, please call the Chief, Fee Section, at (202) 418-1995.

Sincerely,



Mark Reger  
Chief Financial Officer

000000BIB-97-074

ORIGINAL

*Jerry*

BEN C. FISHER  
MARTIN R. LEADER  
RICHARD R. ZARAGOZA  
CLIFFORD M. HARRINGTON  
JOEL R. KASWELL  
KATHRYN R. SCHMELTZER  
DOUGLAS WOLOSHIN  
DAVID D. OXENFORD  
BARRY H. GOTTFRIED  
BRUCE D. JACOBS  
CARROLL JOHN YUNG  
GLENN S. RICHARDS  
BARRIE DEBRA BERMAN  
FRANCISCO R. MONTERO  
ROBERT C. FISHER  
SCOTT R. FLICK  
GREGORY L. MASTERS\*

FISHER WAYLAND COOPER LEADER & ZARAGOZA L.L.P.

2001 PENNSYLVANIA AVENUE, N.W.  
SUITE 400

WASHINGTON, D. C. 20006-1851

TELEPHONE (202) 659-3494

FACSIMILE (202) 296-6518

INTERNET fwclz@fwclz.com

WEBSITE <http://www.fwclz.com>

WRITER'S DIRECT NUMBER

September 16, 1997

LAUREN LYNCH FLICK  
MILES S. MASON  
DAWN M. SCIARRINO\*  
KAREN C. RINDNER  
BROOKS B. GRACIE III\*  
JASON S. ROBERTS\*  
COLETTE M. CAPRETZ  
HEIDI ATASSI GAFFNEY\*  
STEPHEN J. BERMAN\*  
VERONICA D. MCLAUGHLIN  
STEPHANIE BLESSEY LILLEY  
JACQUALIN FRIEND PETERSON  
CYNTHIA D. GREER\*  
C. BROOKE TEMPLE III\*  
JEFFREY R. GLASSMAN\*  
LARA N. STRAYER\*

\*NOT ADMITTED IN D.C.

OF COUNSEL  
GROVER C. COOPER  
JOHN O. HEARNE

**Via Hand Delivery**

Mr. William F. Caton  
Acting Secretary  
Federal Communications Commission  
1919 M Street, NW, Room 222  
Washington, D.C. 20554

BEN S. FISHER  
(1890-1954)

CHARLES V. WAYLAND  
(1910-1980)

**RECEIVED**

**SEP 16 1997**

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Re: Puerto Rico Radio Station Petitions for  
**Waiver and/or Deferment of Regulatory Fee Increase**

Dear Mr. Caton:

We are writing on behalf of our client, the Radio Broadcasters Association of Puerto Rico (the "Association"), to inform you of its members' intent to file the following Petitions during the regulatory fee filing window: (1) Petition for Declaratory Ruling and for Waiver of Regulatory Fee Increase, and (2) Petition for Deferment of Payment of Regulatory Fee Increase. In short, the position of these stations is that the new radio fees determination methodology, which was adopted pursuant to Commission Report and Order, MD Docket No. 96-186 (Released June 26, 1997), results in a disproportionate fee increase when applied to Puerto Rico radio stations. Consequently, the stations filing these Petitions are seeking a reduction in the increase of their fees to the extent that such increase is due to factors other than an overall increase in FCC administrative costs.

A review of the schedule of regulatory fees for 1997 shows that the regulatory fees contained therein represent a substantial increase in fees due for Puerto Rico radio stations as compared to previous years. In many instances, the increase is almost double the amount previously required. While it is recognized that part of this increase results from an overall increase in costs for enforcement, policy and rulemaking, international and user information activities in FY 1997, which the Commission is obligated to recover, the amount of such increase attributable to the radio industry as a whole is only 38%. Consequently, the remainder of the fee increase must be due to the Commission's new methodology of calculating annual regulatory fees for AM and FM Stations.


Mr. William F. Caton  
September 16, 1997  
Page 2

Under the new methodology, fees are based on the class of station and the population served. While the FCC expects this methodology to result in larger stations and those located in larger metropolitan areas being assessed higher fees and small stations and those located in rural areas being assessed lower fees, with respect to the fee increase, this is not the case in Puerto Rico. Instead, small rural stations in Puerto Rico are bearing a significantly greater share of the increase than the large metropolitan stations. The disproportionate fee increase appears to be the combined result of several factors unique to Puerto Rico, not just one specific circumstance, including Puerto Rico's unusual geographical characteristics, its dense but predominately rural population, the implementation of certain technical standards, which although in compliance with Commission requirements, are at variance with similarly situated stations located in the 48 contiguous states, and the inherent localism of the stations. As is described more fully in the Petitions, these factors artificially inflate the population base of the Puerto Rico stations, resulting in a larger regulatory fee obligation.

In brief, requiring the licensees of these stations to pay the fees currently due would be unfair, inequitable and contrary to the Commission's intent in establishing the new fee methodology. Under the new fee schedule, Puerto Rico radio stations are obligated to pay a disproportionate share of the regulatory fee increase because such increase is tied to each station's population base, which is artificially inflated due to the influences of geography and certain technical standards utilized on the island. Additionally, because the fee increase is so substantial in comparison with previous years and because the economy of Puerto Rico is generally depressed, requiring the licensees of the affected stations to pay the full amount of the fee increase will cause them to suffer significant financial strain and will severely limit their ability to serve the public.

Should you need further assistance or information in your consideration of this matter, please do not hesitate to contact any of the undersigned.

Sincerely,

  
Francisco R. Montero  
Lauren Lynch Flick  
Jaqualin Friend Peterson

Attorneys for the  
Radio Broadcasters Association of Puerto Rico

cc: Jose Ribas Dominicci  
The Honorable Carlo Romero-Barcelo



FEDERAL COMMUNICATIONS COMMISSION  
Washington, D. C. 20554

July 10, 1998

OFFICE OF  
MANAGING DIRECTOR

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OCT - 8 1998

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Mr. Jim Landers  
General Manager  
Radio Station KEWI  
102 West South Street  
Benton, AR 72015

Re: Request for Reduction of Regulatory Fee  
Fee Control # 9709238835848001  
Fee Paid: \$1,000

Dear Mr. Landers:

This is in response to your request for a reduction of the Fiscal Year (FY) 1997 regulatory fee for AM Radio Station KEWI, Benton, Arkansas. The FY 1997 regulatory fee is \$1,000. You assert that station KEWI is a 250 watt daytime, and that KEWI does not participate in the ratings because of the relative small area covered by its 25 mV/m contour. In support of your request you attached a newspaper article indicating that KEWI does not serve the city of Little Rock.

Congress established the total amount of fees that we are to collect for all services for FY 1997 and our fee schedule is formulated to spread the burden of the total fee requirement equitably among the various categories of fee payers, including broadcast licensees. The FY 1997 regulatory fees for all AM stations were derived by calculating the populations within the 0.5 mV/m contour of each individual station (in contrast to the much stronger 25 mV/m service contour cited by you). The 0.5 mV/m contour extends beyond and includes populations not within a licensee's primary service area. However, as a matter of equity, recalculating a station's service area using a different contour for measuring population would require recalculating the service areas, populations, and fees, at a minimum, for all radio broadcast stations, in order to insure the Commission's ability to collect the required amount in fees and that licensees are treated equally.


Mr. Jim Landers

2

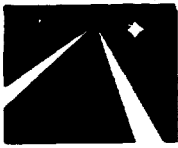
station's regulatory fee solely because its population served would be lower had we relied on a different service contour.

Accordingly, your request for a reduction of the regulatory fee is denied. If you have any questions concerning the regulatory fees, please call the Chief, Fee Section, at (202) 418-1995.

Sincerely,



Thomas M. Holleran  
Acting Associate Managing  
Director - Financial Operations



**KEWI**

**AM 690**

**ESTN Radio**

102 West South Street  
Benton, Arkansas 72015  
(501) 778-6677 • Fax: (501) 778-8738

## COMMUNIQUE

9/30/97

Gentlemen;

Last year our regulatory fee was \$345.00 which we felt was within the scope of fairness. We are a small town radio station which from its very inception had a much better signal than at present because we have what has been explained to me by engineers as progress in the market place. There have been so many transformers and other electrical interference since 1952 that even in our town of Benton, Arkansas population of approximately 18,000 we have places that render our signal poor.

We've installed a new transmitter since purchasing the station in 1995. As monies have been available we have attempted to upgrade equipment in hopes it would improve our signal which I'm sure has improved somewhat but how much can it be improved on a 250 watt daytimer. We would apply for more power if the Commission would be receptive which I'm sure could help us financially but without a good signal into neighboring Little Rock it is virtually impossible to improve our financial base. We do not participate in the Arbitron ratings realizing our signal involving our 25 mv/m coverage is not the greatest due to electronic interference. On the east side of Little rock our signal is weak to none due to a void and interference from a Little Rock station whos tower is located near the interstate and their signal blast in on ours.

I am enclosing an article taken from an issue of the Arkansas Democrat-Gazette with reference to our signal in the Little Rock area which is 18 miles away in hopes this might lend credibility to my above statements regarding our signal.

We would appreciate in as much as we are a small time operation struggleing month by month to pick up new business in an area dominated by print media (Benton Courier over 100 years old) that you would reconsider our regulatory fee and reduce it to what would be more realistic for us. If you need additional information regarding our coverage we will be happy to comply. Any financial break you can see fit to help us with will certainly be appreciated.

Sincerely,

Jim Landers, Gen. Mgr.

# ASU signal fades before Little Rock

BY BECK CROSS  
ARKANSAS DEMOCRAT-GAZETTE

The Arkansas State radio network has increased its number of affiliates from 4 to 20 this season, but has taken a step backward where the Little Rock fan base is concerned.

Those in Little Rock who attempted to pick up the Georgia game on the radio were either unsuccessful or had difficulty with static. Currently the closest stations to Little Rock are in England (1530-AM and 96.5 FM); Benton (KEWI-AM 690); and Conway (KCON-AM 1230).

ASU officials were hopeful that the problem would be taken care of before the Georgia game with the addition of KYFX-FM 99.5 in Little Rock, which finished sixth out of 20 in the last ratings book. But according to KYFX station owner Loretta Lever, that likely won't happen this year.

"Maybe we can work something out for next season," Lever said. "When you take on a project like this, you have to do it right. The project can take 4-6 months in preparations because you have to install a dish for satellite purposes and you have to have a back-up system.

"I'm a big fan and I'd like to see it happen. But when you try to work everything out at the last minute, it's tough."

Barry Sellers, who is the ASU network affiliate relations director, doesn't foresee an immediate solution.

"I've talked to everybody I can in Little Rock," Sellers said. "Most of the stations in Little Rock are nationally owned and they don't have much interest in airing Indian games. I don't know what the answer is because we need a Little Rock station."

ASU Athletic Director Barry Dowd could not be reached.

In an attempt to attract fans, ASU more than quadrupled its advertising budget to \$25,000 to blanket both the Little Rock and Memphis markets. Increased advertising included three different television commercial spots, radio and newspaper ads and billboards.

Sellers didn't dismiss the idea of attempting to renew ties with KABF-FM 88.3, which carried

See RADIO, Page 5C

LA MONT Zachery moves to wide receiver. Page 5C.

ASU, UCA try to draw fan interest. Page 5C.

SOUTHERN Arkansas capsule. Page 5C.

## Radio

• Continued from Page 1C

ASU games for the past two years.

"The only problem is that KABF is non-profit and they want compensation," Sellers said. "At this point, no one has come forward to offer that."

Randy Rainwater, who was the affiliate relations director from 1988-93, said he ran into the same type of problems.

"Little Rock is a tough market because it's music intensive," Rainwater said. "Music intensive stations are reluctant to carry sports because of ratings. The listeners who tune into these stations are likely more interested in hearing music than a ball game."

The only talk-intensive stations in the area are KARN-AM 920 and KSYG-FM 108.7. KARN is under contract to carry all Arkansas games while KSYG has a deal with UALR.

# Payment Transactions Detail Report

Date: 11/10/97

BY: FEE CONTROL NUMBER

Fee Control Number	Payor Name	Account Number	Received Date
9709238835848001	LANDERS, JIM 102 W SOUTH ST	FCC2045602	09/17/97

BENTON AR 72015

Payment Amount	Current Balance	Seq Num	Payment Type Code	Quantity	Callsign Other Id	Applicant Name	Applicant Zip	Bad Check	Detail Amount	Trans Code	Payment Type
\$1,000.00	\$1,000.00	1	MGF7	1	KEWIAM690	LANDERS, JIM	72015		\$1,000.00	2	PMT
Total	1								\$1,000.00		

FEDERAL COMMUNICATIONS COMMISSION  
Washington, D. C. 20554

July 10, 1998

OFFICE OF  
MANAGING DIRECTOR

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OCT - 8 1998

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Mr. David C. Zinkhann  
Radio Station WZZZ  
113 Schuyler St.  
Suite Z  
Fulton, NY 13069

Re: FY 1997 Regulatory Fees  
Fee Control # 9709238835845010  
Fee Paid: \$1,025

Dear Mr. Zinkhann:

This is in response to your letter concerning the Fiscal Year (FY) 1997 regulatory fee for AM Radio Station WZZZ. You argue that the regulatory fee is not fair to all stations and should be based on revenue performance rather than potential listeners. You further maintain that you can only pay the fee by borrowing money or foregoing the payment of other obligations.

Congress established a fee schedule for AM stations based solely on the class of station. In response to complaints from broadcasters and in an attempt to make the schedule more equitable, we modified the FY 1997 fee schedule to consider both the class of station and signal contour. We recognize that some broadcasters believe that the assessed fees are not equitable, and we contemplate further modifying the fee schedule to make the fee schedule for FY 1998 more equitable.

Moreover, in establishing its regulatory fee program, the Commission recognized that in certain instances payment of a regulatory fee may impose an undue financial hardship upon a licensee. Thus, the Commission decided to grant waivers or reductions of its regulatory fees in those instances where a "petitioner presents a compelling case of financial hardship." Implementation of Section 9 of the Communications Act, 9 FCC Rcd 5333, 5346 (1994), reconsideration granted, 10 FCC Rcd 12759 (1995). The Commission further held that regulatees can establish financial need by submitting:

[I]nformation such as a balance sheet and profit and loss statement (audited, if available), a cash flow projection . . . (with an explanation of how calculated), a list of their officers and their individual compensation, together with a list of their highest paid employees, other than officers, and the amount of their compensation, or similar information.

10 FCC Rcd at 12761-2762.

Mr. David C. Zinkhann

2.

In determining whether a licensee has sufficient revenues to pay its regulatory fees, the Commission relies upon a licensee's cash flow, as opposed to the entity's profits. Thus, although deductions for amortization and depreciation, which do not affect cash flow, and payments to principals, reduce gross income for tax purposes, those deductions also represent money which is considered to be available to pay the regulatory fee.

In the absence of appropriate documentation, you have failed to establish a compelling case of financial hardship. However, in view of your allegations of financial hardship, you may refile your request together with appropriate supporting documentation within thirty days from the date of this letter.

If you have any questions concerning the regulatory fees, please call the Chief, Fee Section, at (202) 418-1995.

Sincerely,



Thomas M. Holleran  
Acting Associate Managing  
Director - Financial Operations



97072 0000 970923883  
113 Schuyler Street, Suite Z  
Fulton, New York 13069  
Office: (315) 593-1300  
FAX: (315) 598-5158

September 17, 1997

Federal Communications Commission  
c/o Mellon Bank  
Three Mellon Bank Center  
525 William Penn Way  
27th Floor, Room 153-2713  
Pittsburgh, PA 15259-0001  
Attention: FCC Module Supervisor

Federal Communications Commission:

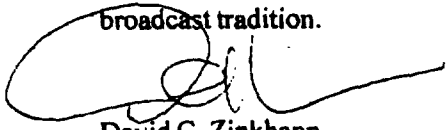
Help! When I recently realized that my 1997 regulatory fee had grown to \$1,000.00 after paying \$345.00 in previous years I had immediate concerns about how I would pay it. It couldn't skip my debt to the bank, I couldn't skip the payroll to my one full time employee, I couldn't skip my tax liability, so I borrowed the money.

I really believe this new system used to determine our annual fees should be reinvented. It simply can not be fair to all radio stations, each of our circumstances is different, in fact it may be more fair to judge us by our revenue performance than by the potential we have to cover an audience. Stations the size of WZZZ-AM simply can not compete with other larger market stations, or stations our size that simply have the advantage of being in a better economic climate.

I am always willing to pay my share, but I need your help. My wife and I own and operate this 1000 watt, class D, daytime AM licensed to Fulton, New York. The population of my city of license is approx. 13,000 people. My signal may reach further than my city of license, however it is next to impossible to sell advertising there. Syracuse is only 30 miles away, but my little station barely reaches that audience, we do not have ratings, nor can we even hope to market that area for revenue. In addition, we must sign off each evening and therefore can reach what audience we do have for only an average of twelve hours a day, this is half the time that most other stations in this market have available to air and market their product. Therefore, we do exactly what our license asks us to do...we service our community. We read local news, information, weather, sports, put on the mayor and other locals (even the librarian), cover the fishing conditions, give the farm news report, cover the little league and the kids pie eating contest at the local super market, and broadcast the annual Memorial Day Parade. We do this primarily in a community that has some 60% of it population that relies on some form of public assistance.

We are true to our city of license and nearby small communities, we don't license ourselves to some small community then claim to be a big Syracuse station as many others do. We are so limited within our community for billing prospects that our monthly billing only averages around \$5,500.00 per month. This is not a lot to pay all the expenses and fees that are required to just stay on the air each month. If there would be anyway the FCC could help us with a partial refund, it would be greatly appreciated. I had prepared myself to have to pay up to \$500.00, but \$1,000.00 is quite a set back for a radio station of this size.

I appreciate your consideration in helping me and other broadcasters in my position to carry on the local small market broadcast tradition.



David C. Zinkhann  
Licensee WZZZ-AM Radio



# Payment Transactions Detail Report

Date: 11/10/97

BY: FEE CONTROL NUMBER

Fee Control Number	Payor Name	Account Number	Received Date
9709238835845010	ZINKHANN, DAVID C 113 SCHUYLER STREET  FULTON NY 13069	FCC2045596	09/19/97

Payment Amount	Current Balance	Seq Num	Payment Type Code	Quantity	Callsign Other Id	Applicant Name	Applicant Zip	Bad Check	Detail Amount	Trans Code	Payment Type
\$1,025.00	\$1,025.00	2	MUB7	1	KO5091	ZINKHANN, DAVID C	13069		\$25.00	2	PMT
\$1,025.00	\$1,025.00	1	MGF7	1	WZZZAM	ZINKHANN, DAVID C	13069		\$1,000.00	2	PMT
Total									\$1,025.00		

FEDERAL COMMUNICATIONS COMMISSION  
Washington, D. C. 20554

OFFICE OF  
MANAGING DIRECTOR

JUL 14 1998

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OCT - 8 1998

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Mr. William Ray, President  
RAY-D-O-Biz, Inc.  
P.O. Box 1408  
Elizabeth City, NC 27909

Re: Request for Reduction of Regulatory Fee  
Radio Station WGAI  
Fee Control # 9709188835640001  
Fee Paid: \$200

Dear Mr. Ray:

This is in response to your request for the Commission to reduce the Fiscal Year (FY) 1997 regulatory fee for Radio Station WGAI, Elizabeth City, North Carolina, licensed to RAY-D-O-Biz, Inc. The Commission assessed WGAI a fee of \$1,800 based on coverage of 1,323,240 people. You assert that WGAI serves Pasquotank County which has only about 18,500 homes, together with Camden and Perquimans Counties. You compare WGAI's coverage to Radio Station WCNC, Elizabeth City, and you submitted a payment of \$200, the FY 1997 regulatory fee assessed against WCNC.

Congress established the total amount of fees that we are to collect for all services for FY 1997 and our fee schedule is formulated to spread the burden of the total fee requirement equitably among the various categories of fee payers, including broadcast licensees. The FY 1997 regulatory fees for all AM stations were derived by calculating the populations within the 0.5 mV/m contour of each individual station, which is their daytime protection contours. The 0.5 mV/m contour extends beyond your community of license, into more populated areas. However, as a matter of equity, recalculation of WGAI's service area using a different contour for measuring population would require the recalculation of service areas, populations, and fees, at a minimum, for all radio broadcast stations, in order to insure the Commission's ability to collect the required amount in fees.

We recognize that you tendered a payment based on the population in WGAI's community of license, which you contend may be a better reflection of the "core" population served by the station. We have decided to use the city grade contour to calculate FY 1998 radio regulatory fees. However, the 0.5 mV/m contour is appropriate in formulating the methodology for calculating the FY 1997 regulatory fees for all AM Radio Stations because that contour represents the area in which listeners are within a station's protected signal contours. Thus, the Commission will

Mr. William Ray

Page 2

not reduce, on an ad hoc basis, WGAI's regulatory fee solely because its population served would be lower had we relied on the population in its community of license and your request for correction of the regulatory fee is denied. The \$1,600 balance of WGAI's FY 1997 regulatory fee is now due.

Payment of the \$1,600 balance for Radio Station WGAI should be submitted with a completed FCC Form 159 (copy enclosed), within 30 days from the date of this letter.

If you have any questions concerning the fee payment, please call the Chief, Fee Section, at (202) 418-1995.

Sincerely,

  
Thomas M. Holleran  
Acting Associate Managing  
Director - Financial Operations

Enclosure

**WGAI  
AM56  
STEREO**

*Jan*

RAYD O BIZ 9709188835640001

September 7, 1997

Managing Director  
Federal Communications Commission  
1919 M Street, NW  
Washington, DC 20554

RE: Incorrect Regulatory Fee for 1000 watt WGAI AM Elizabeth City,  
North Carolina

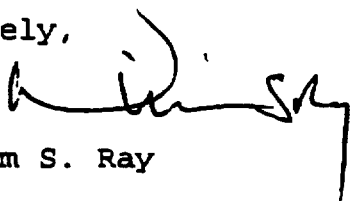
Dear Managing Director,

There are 18,500 homes in the Pasquotank County area in which 1kw-D WGAI AM serves. The regulatory fee of \$1600 with population served of 1.323 Million people equates our station to WTAR AM Norfolk. This is not correct. WGAI serves Pasquotank, Camden and Perquimans Counties. WCNC AM Elizabeth City is comparable whose fee is \$200.

Enclosed is \$200 for the 1997 Regulatory Fee. This gross error in calculation of \$1800 would be a hardship for our station.

In advance, thank you for your assistance in correcting the licensing fee for WGAI AM.

Sincerely,



William S. Ray

cc: WGAI license

9709188835640001

**LICENSE RENEWAL AUTHORIZATION**

THIS IS TO NOTIFY YOU THAT YOUR  
APPLICATION FOR RENEWAL OF LICENSE  
WAS GRANTED ON 11-30-1995 FOR A  
TERM EXPIRING ON 12-01-2002

THIS IS YOUR LICENSE RENEWAL  
AUTHORIZATION FOR STATION WGAJ

LOCATION: ELIZABETH CITY, NC

THIS ALSO IS THE RENEWAL CERTIFICATE  
FOR YOUR CURRENTLY AUTHORIZED  
COMMERCIAL SERVICE

THIS CARD MUST BE POSTED WITH THE  
STATION'S LICENSE CERTIFICATE AND ANY  
SUBSEQUENT MODIFICATIONS.



10000 0001

10000 0001

## STANDARD BROADCAST STATION LICENSE

Subject to the provisions of the Communications Act of 1934, subsequent Acts, and Treaties, and Commission Rules made thereunder, and further subject to conditions set forth in this license, the LICENSEE

## CAMPBELL BROADCASTING, INCORPORATED

is hereby authorized to use and operate the radio transmitting apparatus hereinafter described for the purpose of broadcast for the term ending 3 a.m. Local Time **DECEMBER 1, 1988**

The licensee shall use and operate said apparatus only in accordance with the following terms:

1. On a frequency of **560 kHz.**
2. With nominal power of **.5 kilo watts nighttime and 1.0 kilo watts daytime,**

with antenna input power of <b>540 watts non directional</b>	<input type="checkbox"/> Common Point	current	<b>3.29</b>	amper
antenna nighttime .....	<input type="checkbox"/> Common Point	resistance	<b>50</b>	ohi
and antenna input power of <b>1080 watts non directional</b>	<input type="checkbox"/> Common Point	current	<b>4.65</b>	amper
antenna daytime .....	<input type="checkbox"/> Common Point	resistance	<b>50</b>	ohi

3. Hours of operation: **Unlimited Time.**

Average hours of sunrise and sunset:

Jan. 7:15am to 5:15pm; Feb. 7:00am to 5:45pm

Mar. 6:15am to 6:15pm; Apr. 5:30am to 6:45pm

May 5:00am to 7:00pm; June 4:45am to 7:30pm

July 5:00am to 7:30pm; Aug. 5:15am to 7:00pm

Sep. 5:45am to 6:15pm; Oct. 6:15am to 5:30pm

Nov. 6:45am to 5:00pm; Dec. 7:15am to 4:45pm

**EASTERN STANDARD TIME (NON-ADVANCED)**

4. With the station located at: **ELIZABETH CITY, NORTH CAROLINA**
5. With the main studio located at: **4 mi. N. on Route 17 from Elizabeth City, North Carolina**
6. Remote control point: **---**

7. Transmitter location:

**4 mi. N. on Route 17 from Elizabeth City, North Carolina**

North Latitude:

West Longitude:

**36° 20' 20"**  
**76° 14' 50"**

8. Obstruction marking specifications in accordance with the following paragraphs of FCC Form 715: **1, 3, 12, 21 & 22**

9. Transmitter(s): **Type Accepted**

10. Conditions: **-**

The Commission reserves the right during said license period of terminating this license or making effective any changes or modification of this license which may be necessary to comply with any decision of the Commission rendered as a result of any hearing held under rules of the Commission prior to the commencement of this license period or any decision rendered as a result of any such hearing which has been designated but not held, prior to the commencement of this license period.

This license is issued on the licensee's representation that the statements contained in license are true and that the undertakings therein contained so far as they are consistent herewith, will be carried out in good faith. The licensee shall, during the term of this license, render such broadcasting service as will serve public interest, convenience, or necessity to the full extent of the privilege herein conferred.

This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequency designated in the license beyond the term hereof, nor in any other manner than authorized herein. Neither the license nor the right granted hereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934. This license is subject to the right of use or control by the Government of the United States conferred by Section 406 of the Communications Act of 1934.

1/ This license consists of this page and pages **2 & 3**

Dated: **September 16, 1983**

**WAP**

**FEDERAL  
COMMUNICATIONS  
COMMISSION**



**OCT 25 1983**

File CD Search Credit Card NSF Payment Search Report



## Payment Search Detail

Fee Control Number	Payor Name	Remittance ID	Payment Amount	Ove Am
9609188315302002	ODONNELL BYRNE & WILLIAMS	004751	\$45.00	
9709188835640001	RAY D O BIZ INC	004751	\$2,000.00	

Credit Card Info

Payor Info

Bad Check Info

Changer Info

Acct Info

Sequence Number	Quantity	Payment Type Code	Payment Amount	Trans Code	Call Sign Other Id	Treasury Symbol	Date Last Changed	Changer Initials
1	1	MGE7	\$1,200.00	PMT	WCXLFM	27X6725	9/19/97	SYS
3	1	MGE7	\$200.00	PMT	WGAIAM	27X6725	9/19/97	SYS
2	1	MGH7	\$600.00	PMT	WQDKFM	27X6725	9/19/97	SYS

Move to Unapplied

ECC Code Info

Applicant Info

Treasury Info

Modify Payment

Close

Print Screen

FEDERAL COMMUNICATIONS COMMISSION

Washington, D. C. 20554

August 5, 1998

OFFICE OF  
MANAGING DIRECTOR

RECEIVED

OCT - 8 1998

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Tara S. Becht, Esquire  
Irwin, Campbell & Tannenwald, P.C.  
1730 Rhode Island Ave., N.W.  
Suite 200  
Washington, D.C. 20036

Re: Petition for Waiver of Regulatory Fee  
Radio Station KAEH

Dear Ms. Becht:

This is in reply to the Petition for Waiver of Regulatory Fee, filed on behalf of FM Radio Station KAEH, Beaumont, California, licensed to RGB Communications, Inc. (RGB). RGB was assessed a Fiscal Year (FY) 1997 regulatory fee of \$1600 for KAEH. You argue that the fee should be waived because of financial hardship. You also assert that on October 1, 1996, RGB held a construction permit for KAEH, and should have been assessed a regulatory fee of only \$950.

We will correct the error in the fee assessment and reduce RGB's FY 1997 regulatory fee to \$950, the fee for an FM construction permit. However, the request for waiver of the fee will be dismissed as untimely.

On August 1, 1997, the Commission issued a Public Notice, FY 1997 Mass Media Regulatory Fees, to all licensees, advising them of their Fiscal Year 1997 regulatory fee obligations. Licensees were notified that fee payments were to be received by the Commission by September 19, 1997; they were advised of their rights to request waiver, reductions and deferments of the regulatory fees; and that requests for deferment of the fees were also to be filed by September 19, 1997. The public notice notified licensees that the Commission would "invoke any lawful authority it may possess under the Debt Collection Act to collect any fees due or outstanding against any licensee failing to meet its regulatory fee payment obligations." The Commission in establishing the regulatory fee program said that it would "accept petitions for waiver, reduction and deferments [of the regulatory fees] so long as they are filed no later than the date payment is due." Implementation of Section 9 of the Communications Act, 9 FCC Rcd 5333, 5345 ¶ 34 (1994). On March 6, 1998, RGB was advised by letter that the Commission had no record for the payment of its FY 1997 regulatory fee for Station KAEH, and that the licensee was to either submit payment or proof of payment within 20 days.

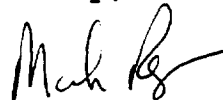


While the Commission will consider timely filed waiver requests, a review of the Commission's records indicates that RGB made no attempt to show why it could not have filed its waiver request in a timely manner. RGB's failure to comply with the Commission's filing rules, has added to the Commission's regulatory burden and it has not made a compelling showing of why the Commission should consider its untimely waiver request. Thus, the request for waiver of the FY 1997 regulatory fees is dismissed.

Payment of the FY 1997 regulatory fee of \$950 for the construction permit for Radio Station KAEH is now due. The \$950 fee should be filed together with a Form FCC 159 (copy enclosed) within 15 days from the date of this letter. You are cautioned, that the failure to submit payment as required, will result in the imposition of a 25% late payment penalty, and the initiating of a proceeding to recover the fees pursuant to the provisions of the Debt Collection Act.

If you have any questions concerning the fee payment, please call the Chief, Fee Section at (202) 418-1995.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Reger", with a stylized flourish at the end.

Mark Reger  
Chief Financial Officer

Enclosure

000000BCB-98-035

RECEIVED

APR 10 1998

**IRWIN, CAMPBELL & TANNENWALD, P.C.**

ATTORNEYS AT LAW  
1730 RHODE ISLAND AVENUE N.W.  
SUITE 200  
WASHINGTON, D.C. 20036  
(202) 728-0400  
FAX (202) 728-0354

Federal Communications Commission  
Office of Secretary

**ORIGINAL**

TARA S. BECHT  
DC Bar Admission Pending  
(202) 728-0401 Ext. 108

April 10, 1998

Magalie Roman Salas, Secretary  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C. 20554

Re: RGB Communications, Inc.  
KAEH(FM), Beaumont, California

Dear Ms. Roman Salas:

Transmitted herewith and filed on behalf of RGB Communications, Inc. is the original signature page to the Petition for Waiver of Regulatory Fees for the above-referenced station, filed by RGB Communications, Inc. on March 26, 1998 with a fax signature. In accordance with the Commission's rules, no filing fee is required with this filing.

Should you have any questions, please contact the undersigned.

Very truly yours,



Tara S. Becht

Encl.

cc: Claudette Pride, Chief, FCC Fee Section - Rm 452

FEE  
SECTION

APR 15 8 36 AM '98


RECEIVED

provides in Beaumont, California, the Commission should grant this Petition for Waiver of Regulatory Fees.

Respectfully submitted,

**RGB COMMUNICATIONS, INC.**

By:



Barbara Brindisi  
Chief Executive Officer

March 26, 1998

Jenny

000000 BCB-98-035

IRWIN, CAMPBELL & TANNENWALD, P.C.

ATTORNEYS AT LAW  
1730 RHODE ISLAND AVENUE N.W.  
SUITE 200  
WASHINGTON, D.C. 20036  
(202) 728-0400  
FAX (202) 728-0354

CONFIDENTIAL

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APR 2 - 1998

TARA S. BECHT  
DC Bar Admission Pending  
(202) 728-0401 Ext. 108

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

March 26, 1998

**VIA MESSENGER**

Magalie Roman Salas, Secretary  
Federal Communications Commission  
Room 222  
1919 M Street, NW  
Washington, D.C. 20554

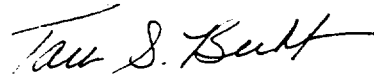
Re: RGB Communications, Inc.  
KAEH(FM), Beaumont, California  
Petition for Waiver of Regulatory Fees

Dear Ms. Roman Salas:

Transmitted herewith and filed on behalf of RGB Communications, Inc. ("RGB") is a Petition for Waiver of Regulatory Fees. Since this waiver request includes confidential financial information concerning station KAEH(FM), Beaumont, California, RGB respectfully requests that the Commission stamp this filing as "Confidential" and restrict public access to it.

If you have any questions concerning this matter, please contact the undersigned.

Very truly yours,



Tara S. Becht

Encl.

APR 2 1998  
FCC SECTION

FEDERAL COMMUNICATIONS COMMISSION

Washington, D. C. 20554

August 25, 1998

OFFICE OF  
MANAGING DIRECTOR

RECEIVED

OCT - 8 1998

Mr. Dale D. Wagner  
Senior Vice President  
Finance and Administration  
Rifkin & Associates  
360 South Monroe Street  
Denver, CO 80209

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Re: Request for Waiver of Late  
Payment Penalty  
Fee Control # 9710028835501001

Dear Mr. Wagner:

This is in response to your request for a waiver of the penalty for the late payment of your Fiscal Year 1997 regulatory fees. Please excuse our failure to respond to your request in a more timely manner.

You maintain that you believed the prior owner of your Cable system was responsible for the fees and that you paid the fee as soon as you became aware of the error.

The Commission's policy is to waive the late payment penalty where a licensee has made a good faith effort to pay the fee in a timely manner. Therefore, because it appears that the late payment was inadvertent, and the fee was paid without a further request from the Commission, no penalty will be assessed.

If you have any questions concerning the fees, please call the Chief, Fee Section, at (202) 418-1995.

Sincerely,



Mark Reger  
Chief Financial Officer

9710028835501001



*12/11/97*  
September 23, 1997

RIFKIN & ASSOCIATES, INC

Dale D. Wagner  
Senior Vice President -  
Finance and Administration

Federal Communications Commission  
Attention: Managing Directors Office  
1919 M Street, N.W.  
Washington, D.C. 20554

Re: FCC Form 159

Dear Sirs:

Attached please find FCC Form 159 along with our remittance in the amount of \$6,173.28 in payment of fees due for locations under FCC Call Signs TN0050, TN0393, TN0452, TN0453, TN0085 and TN0454.

I understand that payments not made by September 19, 1997 are subject to a 25% late payment penalty and by this correspondence I am requesting waiver of the 25% late payment penalty due to the late date of the recent rule changes (September 12, 1997). We were following the rules as stated in your Regulatory Fee Public Notice dated August 1, 1997 where fees were stated to be due from the cable system owner who held the properties as of December 31, 1996. We purchased these properties on April 1, 1997 and were of the opinion that the seller was to pay the fee. The seller did not pay the fee and I was not made aware of this nor was I informed as to the rule change until late in the day on September 19, 1997. I hope that our prompt rectification provides evidence of our desire for compliance.

I would appreciate your acknowledgement of the waiver of penalty in this instance.

Should you have need for any additional information, please feel free to contact me at anytime.

Sincerely,

Dale D. Wagner

DDW:rlc  
97-9-245  
Attachments

cc: Al Fosbenner  
Dave Young

FEDERAL COMMUNICATIONS COMMISSION  
Washington, D. C. 20554

OFFICE OF  
MANAGING DIRECTOR

June 29, 1998

Mr. James T. Porter  
President  
Savoy Broadcasting Company  
P.O. Box 280  
Potosi, MO 63664

RECEIVED  
FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY  
OCT - 8 1998

Re: Request for Waiver of Regulatory Fee  
Fee Control # 9709238835306001  
Fee Paid: \$600

Dear Mr. Porter:

This is in response to your request for a waiver of the Fiscal Year 1997 regulatory fee for AM Radio Station KYRO. Please excuse our failure to respond to your request in a more timely manner.

KYRO was assessed a regulatory fee of \$600 for serving a coverage area with a population of 207,233. You argue that the population coverage is unrealistic for a .5 kw AM station located in a community with a population of 2,600 people and in a county with a population of about 22,000. You further assert that the regulatory fee has doubled and that if it remains at its current level, you will have to reduce your services to the community.

Congress established the total amount of fees that we are to collect for all services for FY 1997 and our fee schedule is formulated to spread the burden of the total fee requirement equitably among the various categories of fee payers, including broadcast licensees. The FY 1997 regulatory fees for all AM stations were derived by calculating the populations within the 0.5 mV/m contour of each individual station, which is their daytime protected service contour. The 0.5 mV/m contour extends beyond and includes populations not within a licensee's primary service area. However, as a matter of equity, recalculating a station's service area using a different contour for measuring population would require recalculating the service areas, populations, and fees, at a minimum, for all radio broadcast stations, in order to insure the Commission's ability to collect the required amount in fees and that licensees are treated equally.

We recognize that some broadcasters believe that the city grade contour which each licensee is required to place over its community of license may be a better reflection of the "core" population served by that station, and we have decided to use the city grade contour to calculate FY 1998 radio regulatory fees. However, the 0.5 mV/m contour is appropriate for calculating the

FY 1997 regulatory fees because that contour represents the area in which listeners receive the station's protected signal. Thus, the Commission will not reduce, on an ad hoc basis, an individual station's regulatory fee solely because its population served would be lower had we relied on a different service contour.

We are cognizant, however, of your allegation that if KYRO's regulatory fee remains at the current level, you will have to consider reducing services. In establishing its regulatory fee program, the Commission recognized that in certain instances payment of a regulatory fee may impose an undue financial hardship upon a licensee. Thus, the Commission decided to grant waivers or reductions of its regulatory fees in those instances where a "petitioner presents a compelling case of financial hardship." Implementation of Section 9 of the Communications Act, 9 FCC Rcd 5333, 5346 (1994), reconsideration granted, 10 FCC Rcd 12759 (1995). The Commission further held that regulatees can establish financial need by submitting:

[I]nformation such as a balance sheet and profit and loss statement (audited, if available), a cash flow projection . . . (with an explanation of how calculated), a list of their officers and their individual compensation, together with a list of their highest paid employees, other than officers, and the amount of their compensation, or similar information.

10 FCC Rcd at 12761-2762.

In determining whether a licensee has sufficient revenues to pay its regulatory fees, the Commission relies upon a licensee's cash flow, as opposed to the entity's profits. Thus, although deductions for amortization and depreciation, which do not affect cash flow, and payments to principals, reduce gross income for tax purposes, those deductions also represent money which is considered to be available to pay the regulatory fee.

In the absence of appropriate documentation, you have failed to establish a compelling case of financial hardship. Therefore, your request for waiver of the regulatory fee for Radio Station KYRO is dismissed. However, in view of your allegations concerning KYRO's ability to maintain its service to the community, you may refile Savoy Broadcasting Company's request, together with appropriate supporting documentation of financial hardship, within 30 days from the date of this letter.




Mr. James T. Porter

3.

If you have any questions concerning the regulatory fees, please call the Chief, Fee Section, at (202) 418-1995.

Sincerely,



Thomas M. Holleran  
Acting Associate Managing  
Director - Financial Operations

JO ANN EMERSON

MEMBER OF CONGRESS  
8TH DISTRICT, MISSOURI

HOUSE COMMITTEE ON  
AGRICULTURE

HOUSE COMMITTEE ON  
TRANSPORTATION AND INFRASTRUCTURE

HOUSE COMMITTEE ON  
SMALL BUSINESS

E-mail: joann.emerson@mail.house.gov

Web Page: <http://www.house.gov/emerson/>

## Congress of the United States

House of Representatives

Washington, DC 20515-2508

May 7, 1998

OFFICES:

SUITE 132  
CANNON BUILDING  
WASHINGTON, DC 20515  
202/225-4404

THE FEDERAL BUILDING  
338 BROADWAY  
CAPE GIRARDEAU, MO 63701  
573/335-0101

812 PINE  
ROLLA, MO 65401  
573/364-2455

22 EAST COLUMBIA  
FARMINGTON, MO 63640  
573/756-9755

*Mr. Wainwright  
4/19/98*

Ms. Diane Atkinson  
Congressional Liaison  
Federal Communications Commission  
1919 M Street, Northwest  
Washington, D.C. 20554

RE: Jim Porter  
ID# (573) 438-2163

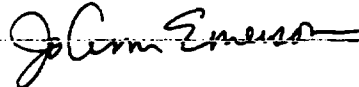
Dear Ms. Atkinson:

I am writing on behalf of the above-named constituent. As you can see by the enclosed papers, the concerns involve your agency.

I would be grateful if you or a member of your staff could review those concerns and advise me of your agency's actions and findings. Should you need any additional information, please contact Paul Hittson in our Farmington District Office. The telephone number is (573) 756-9755.

Thanking you in advance for your prompt attention to this matter, I look forward to hearing from you soon.

Sincerely,



JO ANN EMERSON  
Member of Congress

JAE/phh

Enclosure

# Savoy Broadcasting Company

PO BOX 280-HIGHWAY 21 NORTH POTOSI, MO 63664

SEPTEMBER 15, 1997

FEDERAL COMMUNICATIONS COMMISSION  
REGULATORY FEES  
PO BOX 358835  
PITTSBURGH, PA 15251-5385

TO WHOM IT MAY CONCERN:

I AM REQUESTING A WAIVER ON BEHALF OF KYRO RADIO FOR THE  
REGULATORY FEE FOR 1997.

PAGE 53 OF THE FCC PUBLIC NOTICE, AUGUST 1, 1997 75520, SHOWS  
KYRO POTOSI SERVING A POPULATION OF 207,233, WITH A FEE IN  
THE AMOUNT OF \$600.00.

I FEEL THIS IS A UNREALISTIC FIGURE FOR A .5KW AM, LOCATED IN  
A COUNTY WITH A POPULATION OF ONLY 22,000, A CITY OF LICENSE  
WITH A POPULATION OF ONLY 2600. WASHINGTON COUNTY MISSOURI  
ALSO HAS ONE OF THE HIGHEST UNEMPLOYMENT PERCENTAGES IN THE  
STATE.

THE REGULATORY FEES FOR KYRO DOUBLED FOR 1997 OVER 1996 FEES.  
~~SHOULD THE REGULATORY FEES FOR KYRO REMAIN AT THIS LEVEL, WE~~  
WILL HAVE TO CONSIDER REDUCING SERVICES PROVIDED AT NO CHARGE  
TO COMMUNITIES, WHICH DO COST US, SUCH AS REMOTE BROADCASTS  
FOR ALL DAY HEALTH FAIRS.

THANK YOU FOR YOUR CONSIDERATION.

JAMES T PORTER  
PRESIDENT

\*ENCLOSED IS A CHECK FOR \$600.00, OUR 1997 REGULATORY FEE.

WWW.KYRO.COM

PHONE (573)438-2136 FAX (573)438-3108

**KYRO RADIO - SAVOY PAGING**

1972 - 1973

CONG 41

Wet  
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(A. M. 10) V. H.  
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Lib. in March  
& April)

Director

**President**  
**ing Company**  
GC  
OGC

(Continued)  
enc.  
encl.  
6/30)

① We are sorry  
that we have  
not been able  
to give  
you better service  
in the past.

② We've never received this  
written request.  
We have acted on  
all requests  
we'd find to  
help of this  
kind.

③ Our records indicate  
that we sometimes  
receive 5 ft. square  
boards as well.

for Financial Operations

-----  
Date: 06-10-98

Time: 14:18:10

Document Number : 11985  
Control Number : 98-04193

B.F. :

Bureau : OMD  
Assigned To : OMD

Due : 98/07/01

Modified By : OLIA

Author : Emerson, Jo Ann  
Organization : Member, US House of Representat  
Address : 22 East Columbia

City/State/Zip : Farmington MO 63640

Constituent : Jim Porter

Subject : Inquiry/comments re: waiver of FCC rules [WAIVER]

Signature : BUREAU CHIEF  
=====

Assigned: 6/12/98

Due: 6/30/98

AMD - FO

9709238835306001

# Savoy Broadcasting Company

PO BOX 280-HIGHWAY 21 NORTH POTOSI, MO 63664

RECEIVED

JUN 16 11 32 AM '98

FCC  
FEES SECTION

SEPTEMBER 15, 1997

FEDERAL COMMUNICATIONS COMMISSION  
REGULATORY FEES  
PO BOX 358835  
PITTSBURGH, PA 15251-5385

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FOR ALL DAY HEALTH FAIRS.

THANK YOU FOR YOUR CONSIDERATION.

JAMES T PORTER  
PRESIDENT

\*ENCLOSED IS A CHECK FOR \$600.00, OUR 1997 REGULATORY FEE.

WWW.KYRO.COM

PHONE (573)438-2136 FAX (573)438-3108

KYRO RADIO - SAVOY PAGING

# Payment Transactions Detail Report

Date: 6/16/98

BY: FEE CONTROL NUMBER

Fee Control Number	Payor Name	Account Number	Received Date
9709238835306001	SAVOY BROADCASTING CO PO BOX 280	431615170	09/19/97

POTOSI MO 63664

Payment Amount	Current Balance	Seq Num	Payment Type Code	Quantity	Callsign Other Id	Applicant Name	Applicant Zip	Bad Check	Detail Amount	Trans Code	Payment Type
\$600.00	\$600.00	1	MGH7	1	KYRO	SAVOY BROADCASTING CO	63664		\$600.00	1	PMT
Total									\$600.00		